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Vol. VII

TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1940

No. 14

REPUBLIC STEEL CORPORATION, PETITIONER,

vs.

NATIONAL LABOR RELATIONS BOARD AND STEEL WORKERS ORGANIZING COMMITTEE

ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE THIRD CIRCUIT

PETITION FOR CERTIORARI FILED FEBRUARY 7, 1940.

CERTIORARI GRANTED MAY 20, 1940.

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Cross Examination

Q. (By Mr. Lauter) What was the date of this meeting you are referring to?

A. I can't remember but it was approximately in March. Around the latter part of March or around April some time.

Q. In 1937?

A. In 1937.

Q. Where was this meeting held?

A. In Alvin Smith's office.

Q. How many men attended?

A. How many men present?

Q. Yes.

A. About 25 or 30.

Q. What department?

A. Hot mill.

Q. What time?

A. Well, I was working the 4 to 12; it was just around midnight.

Q. On the shifts?

A. What?

Q. On shift time?

A. No, we was through working. We quit a quarter of the hour. We finished up a quarter to the hour and we started a quarter of the hour.

Q. (By Mr. Lauter) What time did the meeting take place?

A. Well, until they all got in there, I imagine it was five minutes to 12 or so.

Q. How long did you say it lasted?

A. Well, not more than 20 or 25 minutes.

Q. Then you went home?

A. Then I went home.

Q. You say straight home?

A. Yes, sir.

Q. Didn't wobble?

MR. DAY: I object to that.

MR. LAUTER: Withdraw that.

Q. Who is Mr. David Lewis?

A. Turn foreman.

Q. Who is Mr. Alvin Smith?

A. He is superintendent.

Q. And who spoke first?

A. Alvin Smith.

Q. How long did he speak?

A. Well, he spoke probably 10 or 15 minutes, maybe 15 minutes at the most.

Q. How long did David Lewis speak?

A. Five or 10 minutes.

Q. How long did the meeting last?

A. About 20 or 25 minutes.

Q. Who else spoke?

A. That is all. They asked for remarks from Andy Evans, but Andy said Mr. Smith had covered everything that he wanted to tell.

Q. Who is Andy Evans?

A. Well, he is superintendent of the hot mills.

Q. So they had at least two superintendents, and what is David Lewis' position?

A. Turn foreman.

Q. You had two superintendents and a turn foreman there, what other officials were there?

A. That is all.

Q. Were the other men all head loaders?

A. No, they were just spanner men, roughers, rollers, workers.

Q. Is there any such a title as head loader in the plant?

A. Never heard of it.

Q. Head operator?

A. No, I haven't heard of that either. They sometimes say "head rougher" but he is—there is two men do the

roughing, one is called the rougher and the second man does the same work only he hasn't got the responsibility, is called the spanner man, there is no position as head operator in the hot mills.

Q. What did Alvin Smith say at that meeting?

A. Well, he brought up about the quality of sheets, the sheets had to be better, because the strip mills were cutting in on our business, we had had these talks plenty of times before about the quality of the sheets and he brought in that very day that the strip mills were cutting in our business right at that time there was—they were taking black plate orders but they were not quite so good as the pickle sheets, but they took them to fill in so they could work full time.

Q. Is that all Alvin Smith talked about?

A. Well, he brought up about how conditions were and he left it up to every man, to his choice what he wanted to do.

Q. What is that?

A. He said every man is entitled to do as he wanted to. He said there is lots of unrest and he said before any man does anything or considers anything, why he says he should think it over.

Q. He said there was lots of unrest?

A. Sure, he said by looking at the newspapers you can see there is lots of unrest in the country.

Q. What else did he say on the subject?

A. Well, he brought out the policy of the Republic Steel that they could join any union they wanted to or they could refuse to join them, didn't have to belong to any union.

Q. He didn't mention the C. I. O.?

A. I didn't hear it mentioned.

Q. And he didn't mention the Employees Representative Plan?

A. Pardon?

Q. Did he mention the Employees Representative Plan?

A. I didn't hear that mentioned.

Q. Now, is that all he said on that subject of unrest, that you have already stated for the record?

A. There might be more. I can't just think of all of it.

Q. No, I realize it is difficult. I am not trying to get the exact words. He just said in substance—what else was said on the subject?

A. Well, they always brought this up, that as far as the sheet mill was concerned, that sooner or later that the strip mill was going to cut into our business and that was their main talk always, that we had to get on our toes to keep working.

Q. Otherwise they would shut down? And give away to the strip mill?

A. Well, that is what is cutting now, is the strip mill.

Q. What is that?

A. The strip mill is cutting in on us now.

Q. They warned you of this possible occurrence, is that right?

A. No doubt.

Q. At a number of meetings? At a number of meetings?

A. Yes, sir.

Q. That it might be necessary to shut down the mill that you were working in because of the strip mill and what it might do?

A. Well, they figured it is an old type mill and just a lot of junk, anyhow, so that is—the plant not up to date is going to be harder to operate when competition gets tough.

Q. Now, what else was said? You have had a few moments to recall. What else was said on the subject of unrest? What else was said on that subject by Alvin Smith?

A. Well, they brought up that we have been working good, we hoped we could continue working good.

Q. What did he mean by that, did he say?

A. He didn't say what he meant by that.

Q. He didn't make any reference to the Employees Representative Plan?

A. Oh, no.

Q. Now, we come to Dave Lewis. He said something about making good money?

A. Yes.

Q. What else did he say?

A. Well, he said that the men were making good money there and they were satisfied. He said they had bought a lot of things and they were still buying things and he says, "As long as you are working and making good money, you can do that," but he says, "the minute you are not working, why you are going to lose a lot of things that you bought." That is all.

Q. This was in April, 1937?

A. 1937.

Q. A month before the strike?

A. A little more than a month, I imagine.

Q. Well, the strike was in May. It was the month before the strike?

A. Yes, sir.

Q. Did he also mention anything about shut-down?

A. He said that if they couldn't make costs they would have to shut the plant down. He said anybody knew that if they couldn't run at cost they would shut the plant down.

Q. He said before doing anything else—or before doing anything rash, the men ought to consider their action, is that right?

A. On everything, yes.

Q. What else did he say along that line?

A. I can't recall.

Q. Well, tell me what else he said? I don't want to bind you down to any particular subject; you tell me what else he said? He spoke for ten or 15 minutes, you testified?

A. Mostly was on the production and sheets, that is how it was brought up. We probably spent ten minutes on that, telling what they wanted, and how the sheet mill got them to take orders that they could make probably cheaper some place else, to save on freight, but they had the reputation of making good sheets down there, that is the only reason that they was working.

Q. Was the strike or possible strike mentioned?

A. Sir?

Q. I say, was a strike or possible strike mentioned?

A. Well, it wasn't mentioned, no.

Q. Well, it was indicated during the talk, is that right? When you say "Well, it wasn't mentioned" I seem to get the idea that there was some intimation there at the meeting. Now, will you explain what—

A. At every meeting, if you want to read between the lines, there is something that you can take just what you want out of a meeting.

Q. What did you take out of it?

A. I took it like he said, that we had to keep on our toes to keep business going, we were satisfied—

Q. I mean in respect to a strike.

A. What?

Q. You said, "Well, that wasn't mentioned." Now, do you mean that it wasn't mentioned, or that there was some intimation of it?

A. That was before the strike, and we never thought of the strike before the strike. We just thought of it after the strike.

Q. You didn't think of the strike until it happened?

A. No, sir.

Q. Had you no intimation before the strike happened, that it was going to happen?

A. No, sir, I didn't, not even the day before.

Q. You got the intimation that they were discussing a possible strike in April, 1937, when this meeting was held?

A. Well, there has been threats on that, for years.

Q. And also there had been talks like this, for years?

A. They have to be, in the sheet mill.

Q. What is that?

A. They have to be, to keep up their quality of sheets.

Q. That is the reason they have to give the talks, is that right?

A. Well, that is their viewpoint.

Q. Well, you are expressing their viewpoint, aren't you?

A. Well, you asked me what they said and I just told you what they said.

Q. Yes, that is all that I want. Now, what else was said about making good money?

A. Well, they brought up that we was making good money, we were satisfied with our jobs and we hoped that we could keep on making money and keep on working.

Q. They said that the men were satisfied with their jobs, is that right?

A. Why, yes.

Q. Did they ask the men, there, whether they were satisfied with their jobs?

A. In the hot mills, that they was satisfied.

Q. In this meeting, did the men who spoke, namely Dave Lewis, ask them whether or not they were satisfied with their jobs?

A. No, sir, he didn't ask them.

Q. What is that?

A. No, sir.

Q. Do you know whether or not a petition was circulated in the mill asking if the men were satisfied with their jobs?

A. Yes, sir.

Q. Do you remember that petition?

A. Yes, sir.

Q. Do you remember the fact that that petition referred to the Employees Representation Plan?

A. Yes, sir.

Q. And also the statement that was incorporated in the petition, that the men were satisfied with the Employees Representation Plan?

A. Yes, sir.

Q. Did you sign the petition?

A. Yes, sir.

Q. Who asked you to sign it?

A. In the mill?

Q. That is right, who asked you to sign it?

A. Employees Representative.

Q. What is the name of the Employee Representative?

A. Doyle Stewart and Rutherford were on that turn —Doyle Stewart.

Q. You signed up in the mill?

A. Yes, sir.

Q. On company property?

A. What is that?

Q. On company property? And on company time, is that correct?

A. Not on company time.

Q. That wasn't on company time?

A. We don't work on company time. We work piecework, we work a spell and off a spell. Whatever we do between spells, that is our time. We don't get paid by the hour.

Q. It was one of these spells when you were off that Rutherford came over to speak to you about that petition, is that correct?

A. Yes, sir. I couldn't sign them while we was working.

Q. Do you know whether he was working at that time?

A. Sir?

Q. Do you know whether or not he was working at the time he came over to speak to you?

A. No, he was not working.

Q. Are you sure of that?

A. Positive.

Q. Did Dave Lewis say anything about the petition, or did Alvin Smith say anything about the petition?

A. No.

Q. Had they on any occasion made remarks about it, to you?

A. No, sir.

Q. Has anyone but Rutherford spoken to you about the petition?

A. No, they just brought it around, wanted to know if you wanted to sign it.

MR. LAUTER: That is all—

Q. (By Mr. Lauter) Do you know how many members of the C. I. O.—or whether or not there was a large percentage of the members of the C. I. O. in the mill at that time?

MR. KETTERER: I object to that.

TRIAL EXAMINER LINDSAY: What is the question?

(Question read.)

MR. DAY: I think under the rules of this case I don't see how that could be answered.

MR. LAUTER: If he knows, he may testify.

TRIAL EXAMINER LINDSAY: Yes, if he knows he may answer. You may have an exception.

Q. (By Mr. Lauter) Do you know?

A. What do you call—What do you mean by that? Paid up membership? Or just somebody signing a card that don't mean nothing unless you pay? Does it mean

paid up or not? You have to pay anything to call it—

Q. Do you know whether or not there were a large number of members of the Employees Representation Plan in the mill?

A. Well, they wasn't so hot about that, either.

Q. They weren't so hot about the Employees Representation Plan?

A. No.

Q. Is that what you are saying?

A. No.

Q. Well, now, do you know whether or not there was a large majority of the members of the C. I. O. in the plant?

A. There was very few down there, signed it up, if that is what you call it, signed up, just sign a paper, that is so, but if it was paid up, it wasn't 25 per cent.

Q. How many would you say were—

A. In the hot mill, I am just speaking for the hot mill.

Q. Yes, how many men would you say were signed up and not paid up? What per cent?

A. I am not in position to state, but I am sure there was over 50 per cent at least that signed up without—that they just signed

Q. And it was generally known around there and you knew it, that there were a large majority or at least over 50 per cent that had signed up with C. I. O., is that correct?

A. No, they were not signed up, they just signed a card.

Q. That is what I mean, signed a card, signed an application card?

A. Well, I don't know about it. What I say, I would say there is 50 per cent only signed a card but—

Q. Yes, that is what I am asking you.

A. Sure.

MR. LAUTER: That is all.

MR. KETTERER: That is all.

TRIAL EXAMINER LINDSAY: Well, it is after five o'clock. We will adjourn until 7 o'clock tonight.

(Whereupon, at 5:10 p. m. an adjournment was taken until 7 o'clock p. m. September 24, 1937.)

After Recess

(Whereupon, at 7:00 o'clock p. m., the hearing was resumed, and the following proceedings were had):

TRIAL EXAMINER LINDSAY: The hearing will come to order.

LOYD WHITMORE

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Ketterer) Please state your name in full, please.

A. Loyd Wilson Whitmore.

Q. Where do you live, Mr. Whitmore?

A. Navarre, Ohio.

Q. Where are you employed?

A. Republic Steel Corporation.

Q. How long have you worked for the Republic Steel Corporation or its predecessors?

A. A little bit over 16 years.

Q. In what department do you work?

A. In the sheet mill finishing.

Q. What is your title in the plant, if you have any?

A. Shear man.

Q. How long have you been a shear man?

A. Around 15 years.

Q. Then you were a shear man in May, 1937, and prior thereto for a matter of several months?

A. Yes, sir.

Q. Now, were you acquainted with a man whose name is Elmer Jordan?

A. When I see him, I know him.

Q. Do you know what department he works in at the Republic Steel Corporation in the Massillon plant?

A. Inspection department.

Q. How long have you known him when you saw him?

A. Oh, for a year.

Q. Now, do you recall attending any meeting at the Massillon plant of the Republic Steel Corporation at which Mr. Smith spoke? Mr. Alvin Smith?

A. I do.

Q. Do you recall about when that was?

A. Well, I can't state the exact time; it was in March.

Q. Of what year?

A. 1937.

Q. Now, where did that meeting take place?

A. In—where they store the Republic Steel trucks, The Garage.

Q. Now, how many men were present, if you can recall?

A. Well, I would say approximately 125 to 150. It is pretty hard to judge a large crowd of men.

Q. Just the approximate number. Do you recall whether or not Elmer Jordan was present at that meeting?

A. He was.

Q. Now, did anybody else speak there besides Alvin Smith?

A. Jordan spoke.

Q. That is, this Elmer Jordan that you are talking about?

A. Yes, Elmer Jordan.

Q. All right. Now, how long did that meeting last, approximately, if you can recall?

A. 15 or 20 minutes.

Q. Who told you to go to that meeting? Do you remember that?

A. Mr. Smith. Alvin Smith.

Q. What is Mr. Smith's capacity at the Republic Steel Corporation in Massillon?

A. Superintendent of the Sheet Division.

Q. Now, will you go ahead and please tell us what you can recall of the statements that were made by Mr. Smith at this meeting that you have described? You don't have to give the exact words but the substance of what you recall.

A. Why, he called this meeting to tell the Company's policy on dealing with the men, and he started out to talk with the new strip mill that was being put in and the rising costs in our mill down there, and he went on to say that if the mill didn't—could not operate at a profit for the stockholders—a decent profit, that we would lose orders. He didn't say that it would have to close down. He just said that it would gradually go down if we lose orders which we had—in the last several years we lost our automobiles orders—and that is what he explained. Of course in his talk he mentioned about unrest through the country in general. And he spoke on: "You men, before you go into anything of any kind," he says, "think ahead." "This meeting is absolutely not to keep any men from joining any organization whether it is a church or what, or any outside organization." But he says: "There is one thing I want to state." And he said: "For some reason or other, there is men seem to have grievances and they don't take them up before me." He said: "I don't care if you are one man or 50, if you got anything, come and fetch it in." He says: "I will meet with you any time." That is the way it was. He said: "Even if you be-

longed—any man in here belongs to any organization of any kind, that is his free privilege. You are still working for the Republic. If you got any grievances, fetch it up before us so that we can straighten them out." That was as near as I can recall. That practically covered the entire speech.

Q. Now, I will ask you, Mr. Whitmore, whether or not in the course of his remarks you heard Mr. Smith make this statement or this statement in substance: "Boys, I want to tell you one thing. The coal miners, the mine workers of America, they will assess them five and ten dollars and take everything out of their pay." Did you hear anything like that said there?

A. Absolutely not.

Q. Did you hear him say this, or this in substance: "That is what will happen to you. They are a bunch of grafters and Communists and they are Reds." Did you hear anything like that said there or that in substance?

A. No, sir.

Q. Did you hear him make this statement in the course of that meeting: "The first thing you can do if you want to hold your job is lay off this organization."

A. I didn't. I absolutely didn't. He didn't say that.

MR. KETTERER: I think that is all.

Cross Examination

Q. (By Mr. Hoskins) Mr. Whitmore, you say you live in Navarre, Ohio?

A. Yes, sir.

Q. Which one of the Republic plants do you work in?

A. Massillon.

Q. You work at the Massillon plant?

A. Yes, sir.

Q. You are a shear man?

A. Yes, sir.

Q. How long have you been a shear man?

A. Approximately 15 years.

Q. How long have worked in that plant?

A. A little over 16 years.

Q. What was your job before you became a shear man?

A. Well, I started in as a helper and they were—that was a good many years ago when men were starting to quit all the time and I got on shear work a few months after.

Q. Now, are there various classes of shear men jobs? First class, second class, or third class?

A. No, sir.

Q. Just one class?

A. One class. Always has been.

Q. Now, referring to this meeting at which Alvin Smith spoke. When did you say that meeting was?

A. I can't tell you exactly. Some time in March; I can't tell you the exact time.

Q. That is March of this year?

A. 1937.

Q. You said he spoke something about the steel in the new strip mill?

A. Yes, sir.

Q. And he mentioned something about the general unrest throughout the country?

A. Yes, sir.

Q. Can you tell us a little more in detail what he said about the unrest throughout the country?

A. Not any more than what he fixed it. He said that what he read in the newspapers—the general condition of unrest—the reason: "We are fighting for existence; we want to run with every man to be specific." Then he said that it didn't matter what a man belonged to or what church or what organization; whether it was outside or where it was, but he says: "We can't correct these things

if you don't fetch them before us, whether it is one man or a number of men or what it is. We will always deal with them. If they come to us, we will always iron them out."

Q. And this unrest, did he tell you what he meant by the unrest?

A. No, he didn't.

Q. Do you know?

A. No, I don't.

Q. Now, you say he said it didn't make any difference—in substance, what the organization you belonged to or what church?

A. Yes, sir.

Q. Have you—he said: "If you have any grievances, come to me?"

A. Yes, sir.

Q. Did he mention any organization or churches?

A. He never mentioned an organization. The only thing he said was it doesn't make any difference whether it is an outside organization or where it is. It don't matter. You have a right to go on.

Q. Now, he said, if you have any grievances, fetch them to me. We can't cure them—

A. Yes, sir.

Q. Did he outline the procedure for carrying these grievances to him?

A. Not in any way. The only thing he said, it didn't matter whether there is one man or what it is. Fetch them to us. I can't cure them if you keep them behind my back.

Q. Did he refer to the Employees Representation Plan?

A. At no time, no.

Q. Did he refer to the C. I. O.?

A. No, sir, I never heard it mentioned.

Q. Didn't mention the C. I. O. once in his entire speech?

A. No, sir.

Q. And he didn't refer to any outside labor organization?

A. He didn't say anything about an outside labor organization. He said, whether it is any organization outside or where it is.

Q. Now, what time of day did this meeting take place?

A. At three o'clock. We worked till three. We quit at five minutes to until we walked over, so it was after three o'clock. The clock house is directly in line. We have to walk over two or three—it is different departments. The garage is on the other side of the clock house.

Q. You didn't walk through the garage ordinarily to leave the mill?

A. No, the clock house is—the garage is in the corner.

Q. Is that the customary place for having meetings of your department?

A. No, I have never been to any before.

Q. How many men did you say attended?

A. Well, a rough guess would be 125 to 150.

Q. (By Mr. Hoskins) Is that all of the men in your department, on that particular turn?

A. Yes, sir.

Q. Everyone attended?

A. I beg your pardon?

Q. Everyone in your department, on your turn, attended that meeting?

A. Yes, sir.

Q. Did the foremen attend?

A. Yes, sir.

Q. How many foremen were in attendance?

A. The assistant superintendent was there.

Q. What is his name?

A. Charlie Case.

Q. All right.

A. And—That was all.

Q. None of the foremen?

A. None of the turn foremen was there that I noticed, at all.

Q. You are not sure that they were not there, are you?

A. Well, I would have seen them, I am sure, because I was right up in front.

Q. Did Mr. Smith go through his statements only once, or did he repeat them?

A. He may have covered some things—in other words, when he would finish with one thing he may have dropped back in, but that I didn't notice, but understand his first topic was the conditions of the mill and all that. And then he—

Q. You say you understand that? Weren't you there at the entire speech?

A. Yes, sir.

Q. And his first topic was the conditions in the mill?

A. Yes.

Q. Now, what—

A. But I couldn't swear to the man's speech that long back, then he didn't touch anything, not to indicate the conditions of the mill again after he would talk about joining any organization.

Q. You couldn't swear to that?

A. No, sir.

Q. And you couldn't swear—

A. Not that long ago.

Q. —to the fact that he didn't mention the C. I. O.?

A. Yes, sir.

Q. You can swear to that?

A. Yes, sir.

Q. That he didn't mention the E. R. P.?

A. Yes, sir.

Q. And I believe you stated that you left your work

about five minutes to 3:00, to go to this meeting, is that right?

A. That is right.

Q. And the quitting time is what?

A. 3 o'clock.

Q. This meeting lasted how long?

A. About 20 minutes, 15 to 20.

Q. And you stated that Alvin Smith told you to attend?

A. Yes, sir.

Q. Where were you when he told you to attend?

A. He walked past the machine and said—

Q. What?

A. What he told me, he said that he would like to have a meeting of the men over in the garage to state the company's policy.

Q. The company's policy on what?

A. Well, that is all I know.

Q. He didn't state what the company's policy would be on?

A. He asked if—he asked me, I had been in there a long time, he asked me if I thought that it would be all right if he talked to the men, talked to the men in that department because, of course, I have been in the one department, understand, I have never been out of that department. I have been in there 16 years.

Q. And what did you say to him?

A. I said, "Why, sure," I said, "I will attend."

Q. Well, now, let me get this straight. He came down to your machine and walked by your machine?

A. He goes past there different times.

Q. And he stopped and said he wanted you to attend the meeting?

A. Yes, sir.

Q. Where he was going to discuss the company's policy; is that right?

A. Yes, sir.

Q. But he didn't tell you the policy on what?

A. No, he didn't say what policy.

Q. The company has a lot of policies, hasn't it?

A. I don't know, I am not the manager.

Q. Very true. Did you know at that time what particular policy he was going to discuss?

A. Well, I had an idea because these meetings every once in a great while over a period of years, you know how it is in any department, men get a little lax and don't put out as much work and the company—

Q. Well, I am not interested in that.

A. So I suspected that it was the same meeting.

Q. But he didn't state to you what the policy was to be on; is that right?

A. No, sir.

Q. Yet he turned around and asked you if you thought it was all right for him to talk to the men? Do I have your words correct, there?

A. Yes, because, of course, I am—there is a helper helps me, that is on the shear crew, so if I go there to a meeting, why they will go too.

Q. But he asked you if you thought that it would be all right for him to talk to the men, is that right?

A. Yes, sir.

Q. And you replied, you thought it would?

A. Absolutely.

Q. And you replied that, not knowing what he was going to talk about?

A. Sure, because I will listen to my superintendent any day. I work for him.

Q. But you did reply that?

A. Yes, sir.

Q. Not know what he was going to talk about, and how many helpers do you have?

A. Just one.

Q. Anybody else working under you?

A. Scrap man—well, they aren't really under me.

Q. Do you direct the work of any men?

A. Well, I measure the steel—I set up the guides on the machine, understand, I work the same as they do. I have to lift the sheets.

Q. The work of how many men did you direct?

A. Two men besides myself. I don't know whether you would call it directing them, though, or not.

Q. Well, that was my question, I believe, a few moments ago, and then did you tell your helper and this other man about the meeting, or did Mr. Smith tell them?

A. No, I told them.

Q. You told them?

A. I told them, I said that Alvin Smith said there was going to be a meeting over in the garage and I says, "When we ring out, why it is right there."

Q. Did you tell the men that he wanted to talk on some policy but you didn't know what policy?

A. Absolutely I didn't know what it was.

Q. Well, I mean, did you tell your men that?

A. Yes.

Q. You told them he was going to speak on a policy of something?

A. Yes.

Q. But you didn't know which policy it was?

A. No, sir.

Q. Do you know if Mr. Smith told any of the other men about the meeting?

A. That I couldn't say.

Q. You didn't see him tell anybody?

A. No, sir.

Q. Or overhear him tell anybody? Do you know how most of the other men were notified?

A. I think about the same as anything else in there, when you tell one man, why it keeps going from word to

mouth until everybody knows it.

Q. Now, you stated that they have these meetings from time to time over a period of years, is that right?

A. Yes.

Q. Did you have another meeting after this one?

A. No, sir.

Q. When was the meeting before that, the first meeting before this one in March of '37?

A. Oh, I just couldn't recall, but what I mean by these meetings, I took this meeting on the same order as these, because men get a little lax and—

Q. Well, I understand that. When was the last meeting, though, before this March, 1937, meeting? When was the last meeting in your department?

A. Well, I fetched in about—on the order of our safety meetings every month, you see, about our work.

Q. Was the preceding meeting in February?

A. I couldn't state the exact date we held our safety meetings, now.

Q. You give me your best recollection.

A. Understand we hold safety meetings every month.

Q. I understand that. Now, you give me your best judgment on when the first meeting before this March, 1937, meeting was, at which the men in your turn attended?

MR. KETTERER: You mean that were talked to by Mr. Smith or what do you mean?

MR. HOSKINS: I am interested in finding out when the preceding departmental meeting was, then I will come to who spoke.

A. Well, I can't recall the exact date.

Q. Well, can you recall that there was a meeting before this March, 1937, meeting?

A. Well, there was never that large a bunch of men.

Q. Well, was there a meeting without reference to the size?

A. Absolutely, if there wasn't over to the garage, though.

Q. When is your best judgment, though, when a meeting was called for your department or your turn, before March, 1937?

A. Well, not over a month before that, because, to be truthful about it, why some of us get called in the office on the same order.

Q. I am speaking of general meetings for your department. You say it was not over a month?

A. No.

Q. In other words, it was probably—

A. Oh—

Q. —sometime in February, 1937?

A. The whole department don't always get called in.

Q. You understand what I mean by a departmental meeting?

A. Certainly, I think you have got me mistaken on this point. I told you that I thought that this meeting, when he told the—

TRIAL EXAMINER LINDSAY: Well, now, just a minute. The question is—Read the question, will you please?

(The last question read by the Reporter.)

Q. (By Mr. Hoskins) Do you understand what I mean by a departmental meeting?

A. Why, certainly I know that is the men in the department.

Q. Well, was there a meeting sometime in February?

A. Not of the whole department, no.

Q. Was there a meeting of a part of the department?

A. Just a man get called in if there is—if they aren't putting out enough work or anything, why other than we get a jacking up.

Q. I am not interested in whether you get a jacking up or whether any other individual man got a jacking up,

I am asking you if there was a meeting for your department at which either all or some of the men in the department attended, an open meeting?

A. No, sir, there wasn't.

Q. Was there ever one during the sixteen years you have been there? Or is this the first meeting that you ever attended of that character, where all of the men in the department, or a sizeable proportion of them were called to a meeting?

A. No, there wasn't any other that Alvin Smith called.

Q. Was there any other called for your department, regardless of who called it?

A. Not of that type.

Q. What do you mean, not of that type? Were there any of any other type? I will make the question as broad as I can for you. Were there any other meetings of any type?

A. I answered that I might say, now, that—

Q. Well, I think that question is capable of a yes or no answer.

A. I can't answer it any different, then.

Q. Can you answer it yes or no, whether or not there were ever any other meetings?

A. I will have to answer it "no" then.

Q. There were no meetings whatever?

A. No.

Q. In the 16 years you have been there, this is the first meeting you have been called to in your department?

A. I have been called in the office different times.

Q. I am not interested in whether you were called to the office. I am interested in whether you were called to a meeting, or attended any other meeting?

A. No.

Q. You have never attended any other meeting?

A. No.

Q. What are these safety meetings you spoke of?

A. Why, we have a safety meeting, lots of times the foreman fetches up then about our work, see, working conditions.

Q. Would those safety meetings be for all of the men in the department?

A. Why, certainly.

Q. And you have had meetings?

A. That is a safety meeting.

Q. That is a safety meeting?

A. Oh, well, I took it for granted that every shop in the country, I think, has got safety meetings.

Q. Well, whether you take it for granted or not, I believe the question was, were there any meetings? Now, was there any other special meetings that you have had a mental reservation on, not coming within my question?

A. There is meetings every month.

Q. That is, safety meetings?

A. Safety meetings, yes.

Q. Now, are there any other type of meetings?

A. No.

Q. Only safety meetings, that is all?

A. Besides this meeting.

Q. Was there a safety meeting in March?

A. Well, I can't recall, but there must have been, because we have them every month.

Q. You can't recall? Was there one in February?

A. Certainly there was.

Q. When was it held?

A. I can't tell you the date because—

Q. You don't remember who spoke at the meeting in February, do you?

A. Our turn foreman always takes, fetches up safety rules.

Q. What did he say at the February meeting?

A. Well, safety rules, general conditions. Things that we should not do.

Q. Do you remember anything specifically that he said at the February meeting?

A. It was all on general safety conditions.

Q. Do you remember anything specifically that he said?

A. No, I don't. Not—I can't recall.

Q. You don't remember whether there was a meeting in March?

A. There was over in the garage, yes.

Q. I am talking of a safety meeting?

A. I suppose there was.

Q. You suppose there was? Do you know?

A. Because we hav : a safety meeting every month.

Q. Do you remembe· the meeting in March, if there was one?

A. No, I don't.

Q. Was there a meeting in April, a safety meeting?

A. The only thing I can say, I can't specify any meeting, we will have to say, then, we had no safety meeting that I know that they had, every month.

Q. Do you remember the meeting in April, if there was one?

A. No, I don't.

Q. Do you remember the meeting in May, if there was one?

A. No, I don't.

Q. Has there been one this month?

A. I was off, that day. It was on a Monday and I was off.

Q. Was there a meeting that day?

A. Yes, sir.

Q. You know that there was?

A. Yes, there was, because I know I missed it.

Q. Was there a meeting in August?

A. There was.

Q. Did you attend that?

A. Yes, sir.

Q. Who spoke?

A. Mr. Amon, turn foreman.

Q. When was that meeting held?

A. I couldn't specify the date.

Q. Do you remember whether this safety meeting in August was the first half of the month or the last half?

A. Well, they most generally run the forepart of the month.

Q. Do you remember when this August meeting was? Not "most generally"? This August meeting?

A. I couldn't specify the exact date.

Q. You say Mr. Amon spoke?

A. Yes, sir.

Q. Do you remember anything specifically that he said at that meeting?

A. He told us about our scrap boxes, not to pile them too high. Which our chairman got called on, once in a while.

Q. Do you remember anything else he said specifically?

A. To wear our safety goggles, which is fetched up practically at every meeting, to wear safety goggles.

Q. Have you ever been a representative under the Employees Representation Plan?

A. Yes, I have.

Q. When were you elected?

A. In June, 1936, I think it was.

Q. In June, 1936? Have there been any elections since that date?

A. No, sir.

Q. In other words, you still are an employee representative?

A. I am not.

Q. Has anyone taken your place?

A. No, sir.

Q. Has the plan been formally dissolved?

A. Yes, sir.

Q. That is formally dissolved?

A. It absolutely has.

Q. What formal action was taken to dissolve it?

A. Why, I am a representative, and if it has not been dissolved, why I suppose I would be in there yet.

Q. I am asking you what formal action was taken to dissolve it. Was there ever a vote put to the men?

A. No.

Q. Did the representatives vote on it?

A. No.

Q. Was there a formal action?

A. What is a formal action?

Q. I am asking you, was there a formal action? You told me it was dissolved. Now, how was it dissolved?

A. I don't know—the reason why it was dissolved; I am not in on that.

Q. You don't know whether it was dissolved or not, do you?

A. I mean, we didn't do any business any more.

Q. You know as a matter of fact it has not been dissolved?

A. I suppose by law it has not when you take it that way. I am a representative; I didn't do nothing; I am a shear man; that is all I do.

Q. You know, though, no steps have been taken to formally dissolve it?

MR. DAY: I object. He says he doesn't know.

THE WITNESS: Absolutely; I said I don't know. I sure didn't do no business any more. I don't understand at all.

Q. Now, referring back to these meetings. Is this one meeting in the garage the only meeting that you at-

tended for your department outside of the regular safety meetings?

A. Yes, of that type, absolutely.

Q. Other than the safety meetings that was the only one?

A. Yes.

Q. There were no more meetings in the garage?

A. No, I never attended any.

Q. And you were off, you say, one day in August?

A. On a Monday.

Q. At which the regular safety meeting was held?

A. Yes, sir.

Q. Have you ever been off Mondays throughout the past—

A. No.

Q. No?

A. No, that is the reason I got off.

Q. You are off occasionally, though, is that not right?

A. Every week I get off.

Q. You were off every week?

A. Yes. I didn't always get the same day.

Q. Regardless of the type of meeting, if it fell on that day, you would not have attended it, is that correct?

A. I wasn't there.

MR. HOSKINS: That is all.

MR. KETTERER: That is all.

(Witness excused.)

MYRON WURTZ

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Ketterer) Will you state your name, please?

A. Myron Wurtz.

Q. Where do you live, Mr. Wurtz?

A. Massillon, Ohio.

Q. By whom are you employed?

A. Republic Steel Corporation.

Q. In what capacity are you employed by the Republic Steel Corporation?

A. Rougher.

Q. How long have you worked for the Republic Steel Corporation or its predecessors?

A. On and off for 20 years.

Q. During the last, prior to the time that you have worked for them continuously, how long would that be?

A. In December, 1923.

Q. Keep your voice up. We can't hear you.

THE WITNESS: Yes.

Q. Now, did you work for the Republic Steel Corporation during the first part of 1937? From January until May 26th, 1937?

A. Yes, sir.

Q. At the Massillon plant of the Republic Steel Corporation?

A. Yes, sir.

Q. Are you acquainted with a man by the name of Bill Morton?

A. Yes, sir.

Q. He worked in your department?

A. He works for me.

Q. He works for you?

A. Yes, sir.

Q. Now, do you recall attending a meeting in February or March of 1937 at which Mr. Alvin Smith spoke?

A. Yes, sir.

Q. Where was that meeting?

A. In the power house garage.

Q. Where?

A. In the garage in the power house.

Q. How many men were there, if you can tell us approximately?

A. Well, I should judge between 130 and 150 men.

Q. Do you know whether or not Mr. Morton was there?

A. He was.

Q. Now, did Mr. Alvin Smith make any speech or statement to the men that day?

A. He did.

Q. Now, will you tell us your recollection as to what was said by Mr. Smith on that occasion?

A. Well, he told us the strip mill was cutting into our business and we were working black sheet orders. He said that the Republic was one of the last strip mills, and he said we would have to take what we could get and do the best we could and keep our quality and production.

MR. DAY: Will you read that answer?

(The last answer was read.)

A. (Continuing) And we also have to compete with the Monroe plants at costs.

Q. Do you recall anything else, Mr. Wurtz?

A. And he told about what the strip mill costs, or rather, someone—he said the Company was just breaking even and someone asked him how the Republic built a strip mill and he said they borrowed some money to build the strip mill.

MR. DAY: I am sorry. I can't hear him. Will you read that answer in full?

(The last answer in toto was read.)

A. (Continuing) And they asked how they could—what they were borrowing—to the effect, what they were borrowing—I didn't hear what Mr. Smith said, and he asked the man if he knew how much it cost per man to keep a man employed, and he told it cost $10,000 per man. That was about the extent of Mr. Smith's talk.

Q. Now, I will ask you to state whether or not at that time you heard Mr Smith make any statement such as this or this in substance: "That I don't want any of the members there to join the C. I. O. or to join any outside organization."

A. I don't recall hearing Mr. Smith making that statement.

Q. That the Employees Representation Plan had been very successful there, and that: "We had gotten our recent wage increases through the Employees Representation Plan, and that if the C. I. O. had been recognized by the Republic Steel Corporation, they would close down before they would recognize them." Did you hear anything like that said there in substance?

A. No, I didn't.

Q. Did you hear him make this statement or this in substance: "The high cost of operating under the Union contract—" and he said that he would: "Hate like hell to see grass grow in the streets of Massillon." Did you hear anything like that said?

A. I didn't.

MR. KETTERER: I guess that is all.

Cross Examination

Q. (By Mr. Hoskins) Mr. Wurtz, what did you say your job is at Republic Steel Corporation?

A. A rougher.

Q. A rougher?

A. Yes, sir.

Q. You say Joe Morton works for you?

A. On my crew.

Q. Sir?

A. On my crew, yes, sir.

Q. How many men are on the crew?

A. There is five men besides myself. There are six men.

Q. These six men are under you or six men including yourself?

A. Six men including myself.

Q. You have been there off and on for 20 years?

A. Yes, sir.

Q. And the last stretch was when?

A. Since 1923.

Q. 1923?

A. Yes, sir.

Q. How long have you been in charge of this crew?

A. About a year ago in January. Some time around there.

Q. It would be back in 1936?

A. Yes, sir.

Q. Now, this meeting that you testified about at which Mr. Smith spoke. When was that?

A. It was some time in March.

Q. March of what year?

A. 1937.

Q. Do you know about when in March?

A. I can't tell you the exact date.

Q. Well, was it in the first part of March or the latter part of March?

A. The latter part of March.

Q. The latter part of March?

A. Yes, sir.

Q. Toward the end of the month?

A. Pretty well towards the end of the month.

Q. That was held where?

A. In the garage of the power house.

Q. What time of day was this meeting held?

A. About four o'clock.

Q. About when, please?

A. Four o'clock.

Q. You stated that about 150 men were present?

A. Between 130 and 150 men.

Q. Between 130 and 150 men?

A. Yes, sir.

Q. Did anyone else speak besides Mr. Smith?

A. No.

Q. How long did he speak? How long did the meeting last?

A. Oh, I would say about 15 minutes.

Q. Now, what turn were you working on that day, Mr. Wurtz?

A. Day turn.

Q. What is the day turn?

A. Eight to four.

Q. Eight to four?

A. Yes, sir.

Q. What time did you leave your job to go on the meeting?

A. A quarter to four.

Q. How were you notified of the meeting?

A. Someone of my crew told me that there was to be a meeting at the garage.

Q. I am sorry. I didn't hear you. Will you repeat that?

A. Someone in my crew told me there was going to be a meeting at the garage.

Q. You don't know who that was?

A. I don't recall who it was.

Q. That is, somebody in your crew?

A. On my crew, yes, sir.

Q. Was he asking for permission to go?

A. No, he wasn't asking for permission. He quit changing to the—about anywhere from 20 minutes to the hour until 10 minutes to the hour.

Q. You ordinarily change crews at that time?

A. Yes, sir.

Q. One of the men told you there was to be a meeting?

A. Yes, sir.

Q. How many others ordinarily in the department?
A. That is, in the hot mill? That department?
Q. Well, you are in the—what department are you in?
A. The hot mill.
Q. In the hot mill?
A. Yes, sir.
Q. How many men are in that?
A. You mean on the whole turn?
Q. Yes, sir.
A. 1350 men working full crews.
Q. That is on your turn?
A. On my turn, yes, sir.
Q. All the day turns carry the same number of men, about?
A. About the same number of men.
Q. In other words, practically the entire department went to the meeting, is that correct?
A. I don't know about the other men.
Q. On your turn?
A. On my turn, yes, sir.
Q. Do you know how many of the other men were notified?
A. I don't.
Q. The only way you got notice was that one of the men in your crew told you about the meeting?
A. Yes.
Q. What time was it when he told you?
A. I suppose about three o'clock.
Q. And the meeting started about four, you say?
A. About four o'clock, yes, sir.
Q. And it lasted about 15 minutes?
A. About 15 minutes.
Q. Now, you stated, I believe, that Mr. Smith in his speech or in his talk made reference to the existence of the mill and the competition of the strip mill, is that right?
A. Yes, sir.

Q. What else did he have to say? What other topic did he talk upon?

A. Well, he told about how Republic needs a new mill.

Q. What is that?

A. How Republic needs a new mill. Building this new mill. He said that the Republic built this mill, and they would take our orders for automobile sheets.

Q. Now, what else did he have to say?

A. Well, he said as long as they could go on the orders, we would keep on doing the best we could on it. That when the Company could operate, at least at cost, we would keep it up.

Q. Did he say anything about the general unrest throughout the country?

A. I didn't hear him say anything about unrest.

Q. Did he mention the fact, as has been testified to by previous witnesses, did he say anything about bringing any grievances to him if you had any?

A. He didn't at that meeting.

Q. Did he say anything about joining the organization you wanted to, or any church you wanted to?

A. I didn't hear him say anything about that.

Q. Did he talk about grievances at all.

A. Not at that meeting.

Q. In other words, the only thing he spoke of that you remember is the building of the new mill and what relation that would have to the whole mill, is that correct?

A. And the operation at cost, yes, sir.

Q. The operation at cost?

A. At least at cost.

Q. And said nothing about the C. I. O.?

A. No, sir.

Q. And said nothing about the Employees Representation Plan?

A. I didn't hear him say anything about either one.

Q. Now, whereabouts was Mr. Smith located when he was doing this talking? Will you describe that garage to us a little bit?

A. Why, he was standing, I suppose he was on a work bench along the side of the garage.

Q. How long is this garage? Was the meeting inside of the garage?

A. Yes, sir.

Q. That is a covered garage, of course?

A. Yes, sir.

Q. How long is that garage?

A. Oh, I would not have the least idea. I have never been in there but that one time.

Q. Well, your approximation?

A. Well, approximately 100 feet.

Q. And whereabouts were you with reference to Mr. Smith? How far from him were you?

A. Oh, from here over to the wall (indicating).

Q. About how far would you estimate that to be?

A. I suppose 40 feet.

Q. You were about 40 feet from him?

A. Yes, sir.

Q. Were there other men in back of you or were you pretty well to the back of the crowd?

A. I was pretty well to the back.

Q. And you didn't hear him make any of these remarks?

A. I didn't.

Q. Now, I believe you were asked if he said something about grass growing in the streets of Massillon?

A. I didn't hear him say that.

Q. Well, as a matter of fact, is there grass growing in the streets of Massillon?

MR. DAY: Oh, I object to that.

MR. HOSKINS: Very well, I will withdraw that.

TRIAL EXAMINER LINDSAY: Yes.

Q. (By Mr. Hoskins) Have you ever been a representative under the Employees Representation Plan?

A. No, sir.

Q. I didn't get your answer.

A. No, sir.

Q. You have not?

A. No, sir.

MR. HOSKINS: That is all.

MR. KETTERER: That is all, Mr. Wurtz. Thank you.

(Witness excused.)

MR. DAY: I think that concludes the evidence that we have to offer with relation to Canton.

TRIAL EXAMINER LINDSAY: Now, as I understand it you are all through with Canton and Youngstown?

MR. DAY: Canton and Youngstown.

TRIAL EXAMINER LINDSAY: And Massillon?

MR. DAY: Yes.

TRIAL EXAMINER LINDSAY: Warren?

MR. DAY: We have got one witness for Warren who is here. Judge Smith is going to put on in relation to Warren.

TRIAL EXAMINER LINDSAY: Are you through with Canton and Massillon?

MR. DAY: Canton and Massillon.

TRIAL EXAMINER LINDSAY: Canton and Massillon, Youngstown?

MR. DAY: Youngstown.

TRIAL EXAMINER LINDSAY: And Niles?

MR. DAY: Well, I think Warren and Niles is one district.

TRIAL EXAMINER LINDSAY: You have just one witness?

MR. DAY: We have one witness.

MR. SMITH: That is right.
MR. DAY: Mr. Lauter, I want this off the record.
(Discussion held off the record.)

GEORGE P. HERST

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Smith) What is your full name, Mr. Herst?

A. George P. Herst.

Q. Where do you live?

A. Warren, Ohio.

Q. How many years have you lived there?

A. 31 years.

Q. That is about as long as you have lived any place, isn't it, Mr. Herst?

A. That is the total time.

Q. How are you employed?

A. I am a hot mill production clerk.

Q. In what plant?

A. In the Warren Works of Republic Steel Corporation.

Q. How long have you had that position?

A. Since the 1st of February of this year.

Q. How long have you worked for Republic Steel or its predecessor at the same plant in Warren, Ohio?

A. At the plant in Warren, Ohio, I have been there six years.

Q. Six years?

A. Six years.

Q. Well, then, all of your employment has been with Republic Steel Corporation, isn't it?

A. For a total of 11 years.

Q. Yes.

A. I was at the Liberty plant for five years.

Q. Oh, the Liberty Steel Company?

A. Yes, sir.

Q. Now, where was that located?

A. That was west of Warren, between Warren and Leavittsburg.

Q. Was that a subsidiary of the old Trumbull Steel?

A. It was.

Q. And was acquired, I believe, by Republic, at the time that Trumbull Steel was taken over?

A. That is right.

Q. Now, you had been working there for five years and then you came to Trumbull Steel, or to the Trumbull plant or Warren plant of the Republic Steel and have been there six years?

A. That is right.

Q. What was your occupation when you first started to work at the Warren Plant?

A. I was weigh master at the sheet and tin and bar shears.

Q. And did that employment continue up until February of this year, when you took your present position?

A. It did.

Q. Do you remember, Mr. Herst, when the Employees Representative Plan was introduced in the Republic plant at Warren?

A. Yes, sir.

Q. When was that?

A. In June, 1933.

Q. Do you know how it was originally installed?

A. The way it was originally installed, the superintendent of each department delegated one man from the various departments to attend a meeting where the Plan was discussed and told about in detail.

Q. Now, were you one of the members of that original committee that was called for that purpose?

A. No.

Q. Then, not attending the meeting, your information comes from subsequent knowledge of what was done there?

A. From bulletins that was later posted throughout the mill as result of this meeting.

Q. How did the information that you received from bulletins or from this committee indicate to you what had taken place at that time?

A. It did.

Q. From your knowledge of that, what was done? At this first meeting of the group that met there?

A. The Plan was talked and discussed in detail before the group and they set up a temporary committee to take charge of their first nominations and elections.

Q. Do you know how many was in that committee that was originally appointed for that purpose?

A. Four.

Q. Four? Do you know whether or not this original committee organized, and had offices with which to function?

A. They did.

Q. Who was the chairman of that committee, if you know?

A. E. J. Mulligan.

Q. Is he an employee of the Republic Steel Corporation?

A. Yes, sir.

Q. In what capacity was he employed?

A. An armature winder.

Q. Was he in any position having a supervisory capacity, or just an employee?

A. Just an employee.

Q. Now, subsequent to this original meeting that you

spoke of, what was the next you heard of the Plan?

A. These bulletins that were posted throughout the mill telling of the election that was to be held the following week.

Q. Yes, and do you have the papers or notices there showing that?

A. (Witness produces documents.)

Q. Do you have some other papers there in connection with this?

A. Yes, sir.

MR. SMITH: I wish you would mark this for your next number?

(The document above referred to was marked as Respondent's Exhibit 43 for identification.)

Q. I show you a paper that has been marked as Respondent's Exhibit 43 for identification and I wish you would look at that and see if that is the form of notice that you referred to in connection with nominations and elections?

A. It is.

Q. Is this the form of notice that was used throughout the time that this Plan was functioning?

A. It is.

Q. And how was this notice given to the people in the Plant?

A. It was posted throughout the mill on the various bulletin boards.

Q. Oh, there are various bulletin boards there in the plant ther ?

A. There is.

Q. And different departments of the plant, is that correct?

A. Yes, sir.

MR. SMITH: I desire to introduce in connection with this testimony as to the Warren E. R. P. Em-

ployees Representative Plan, Respondent's Exhibit No. 43.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 43 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 43 was received in evidence.)

TRIAL EXAMINER LINDSAY: We will take a short recess.

(Recess had.)

TRIAL EXAMINER LINDSAY: The hearing is called to order.

MR. SMITH: Will the Reporter please mark this as Respondent's Exhibit No. 44 for identification?

(Thereupon the document above referred to was marked Respondent's Exhibit No. 44 for identification.)

Q. Now, subsequent to the notice that you have indicated here which has been marked as Respondent's Exhibit No. 43, state whether or not there was a nomination held.

A. There was.

Q. Were you one of the candidates that were up at the nomination?

A. I was.

Q. Now, what was the quota? How did you arrive at the number of representatives that you would have under this Plan?

A. There was to be one representative for approximately every 200 employees and the fraction thereof.

Q. What was the year? That was the first year, the first nomination, that you were to be a candidate?

A. That is right.

Q. That is in 1933, in June?

A. Yes.

Q. Do you know how many other candidates there

were? How many candidates there were from your department for this first election in 1933?

A. That I think it was 28.

Q. 28?

A. Yes.

Q. Now, how many was your department entitled to on that quota of one for every 200 men?

A. It was entitled to 21.

Q. 21?

A. Yes.

Q. That is 21 representatives or 21 nominations?

A. 21 nominations.

Q. How many representatives?

A. Seven.

Q. Seven?

A. Yes.

Q. Now, under the Plan was it provided that there should be three nominees for each place to the representative in this election?

A. Yes.

Q. Was it—it would require 21 candidates from your department?

A. It did.

Q. And you say you think there were 28?

A. 28.

Q. Now, how was this nomination conducted? The election for the nomination?

A. By secret ballot.

Q. Now, by that you say secret ballot?

A. Yes.

Q. What equipment, if any, was provided for the holding of this election, Mr. Wurtz?

A. We were provided with ballots, election tallies, ballot boxes, and voting booths.

Q. Just describe the voting booths as to how they were constructed.

A. The voting booth was of a solid construction on three sides and enclosed on the fourth side by a solid canvas.

Q. Was it similar to the booths used in the County and State elections?

A. Yes.

Q. Now, how many of these voting places were there in 1933?

A. In the sheet and tin department there were 33.

Q. Are you familiar with the entire plant as to how many there were in the entire plant?

A. No, I am not.

Q. Now, who conducted this election? Who was in charge of it?

A. The Committee in charge that was appointed at this first meeting.

Q. Do you know how many there were of this Committee that had charge of the election of the nominees?

A. This Committee selected their own judges and tellers of employees around and throughout the plant to act in that capacity.

Q. Do you know whether or not there were any of the judges or tellers selected that had any position in the mill, any supervisory capacity?

A. There was not.

Q. There weren't?

A. No.

MR. SMITH: I wish you would mark this paper as the next exhibit.

(Thereupon the document above referred to was marked Respondent's Exhibit No. 45 for identification.)

Q. I show you a paper that has been marked as Respondent's Exhibit No. 45 and ask you what that is.

A. That is the ballot that was provided for us for our nominations.

Q. Were the ballots that were deposited or cast at that time—did the voter sign his name to that or not?

A. No.

MR. SMITH: I desire to introduce Respondent's Exhibit No. 45 which has been marked for identification.

MR. HOSKINS: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 45 is received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 45" was received in evidence.)

Q. Do you know whether or not, Mr. Wurtz, as to whether a constitution and by-laws covering this organization was presented to the Committee at the first meeting they had with the Company?

A. It was.

Q. Did you see a copy of that constitution and by-laws?

A. I did.

Q. Do you know what, if any, action was taken by the Committee at that first meeting as to ratifying it or otherwise?

A. It was accepted and there was items that were later amended.

Q. But the amendment was not made until after this first election, was it?

A. That is right.

Q. I wish you would read into the record the heading of this and the first two paragraphs of Exhibit 45. (Handing a paper to the witness).

A. "Nomination Ballot for Employee Representatives. Directions to Voters. This ballot is issued to qualified voters to nominate candidates for employee representatives. The voter, by using this ballot, approves the holding of nominations and elections as stated in the posted

notice issued by the Employees' Committee under the plan of Employee Representation at this plant and expresses his desire that those elected shall represent him in collective bargaining and for the other purposes stated in the notice."

TRIAL EXAMINER LINDSAY: Now, Mr. Smith, let us not read each one of these into the record.

MR. SMITH: Yes.

TRIAL EXAMINER LINDSAY: Of course, it will be in as an exhibit.

MR. SMITH: All right. I will not read any further.

Q. And this form of Respondent's Exhibit No. 45, is that the form of ballot that was used at this first election?

A. At the first nomination, yes.

Q. Now, I show you a paper that has been marked as Respondent's Exhibit No. 44 and ask you what that form was.

A. It is a notice that was posted throughout the mill for the nominations held on the nominated candidates.

Q. And that was posted in what manner?

A. Throughout the mill on the various bulletin boards.

Q. On the various bulletin boards, you say?

A. Yes, sir.

Q. I note on this that it gives the name and number of votes. Is that what was shown on this, what each candidate received?

A. It was.

MR. SMITH: I desire to introduce Respondent's Exhibit No. 44 in evidence.

MR. HOSKINS: May I see that, please, Mr. Smith?

MR. SMITH: Yes.

MR. HOSKINS: No objection.

TRIAL EXAMINER LINDSAY: Respondent's

Exhibit No. 44 may be received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 44' was received in evidence.)

Q. I have a paper that is headed "Election Ballot for Employee Representatives." I would like to have the Reporter mark it for identification as Respondent's Exhibit No. 46. Do you wish to see this, Mr. Hoskins?

MR. HOSKINS: Yes.

MR. SMITH: Does your Honor wish to look at this?

TRIAL EXAMINER LINDSAY: No.

(Thereupon the document above referred to was marked Respondent's Exhibit No. 46 for identification.)

Q. I show you a paper that has been marked Respondent's Exhibit No. 46 for identification and that is headed "Election Ballot for Employee Representatives." I will ask you to state what that paper is.

A. This is the ballot we used in our annual elections.

Q. Is this the form of ballot that was used by the first election in June, 1933?

A. It is.

MR. SMITH: I wish to introduce Respondent's Exhibit No. 46 in evidence.

MR. HOSKINS: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 46 may be received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 46" was received in evidence.)

Q. Now, were you one of the candidates that was placed in nomination, that was nominated for employee representative under this plan?

A. I was.

Q. (By Mr. Smith) And that was from what department, Mr. Herst?

A. Sheet and tin hot mills.

Q. Did you have anything to do with the election that was held for the nomination, or that was held for the election of the candidates that had been nominated?

A. Nothing whatsoever.

Q. Now, when you went to the booth, the voting booth, Mr. Herst, first for your nomination, voting on the candidates who had been placed in nomination, I wish you would just state the procedure that was followed and what happened when you went to the booth?

A. As you walked into the booth the teller and judges had a list of all of the employees that were eligible to vote. They checked you off by the name and by check number.

Q. You would state your name and number?

A. That is right.

Q. And they would check on their rolls to see if you were eligible to vote?

A. That is right.

Q. And then what happened next?

A. They gave you a ballot and you went to the booth to make your ballot, to vote.

Q. Was this booth so arranged so that it was private, and that no one from the outside could see you vote, how you voted?

A. It was.

Q. Now, what did you do after you had marked your ballot?

A. You folded your ballot and put it in the ballot box.

Q. Now, you say "ballot box". Just describe what that ballot box was like.

A. Well, it was a square metal box about two foot square with a slit in the top and on which the lid was locked with a padlock.

Q. Now, who was in charge of that ballot box?

A. The judge of the booth.

Q. The judge at the booth? You had booth judges and tellers, is that correct?

A. Yes, sir.

Q. And did you deposit your ballot in those boxes yourself?

A. You did that yourself.

Q. And in folding your ballots were the ballots folded so that it did not disclose how you had voted?

A. They were.

Q. Was this election in the mill held all on the same day?

A. Yes, on the same day throughout the mill.

Q. Well, now, in voting, how did the people, the employees who were in there at work, how did they get to the ballots to vote?

A. The booths were so arranged that they were to be kept open for a period of 24 hours if the operations of the department required it, which gave everyone working ample time to go in and cast their vote.

Q. Were the employees permitted to leave their work and go to ballot?

A. No.

Q. Well, how did they ballot then?

A. They could either ballot as they came into work or as they were leaving on their way home.

Q. I see, but they weren't permitted to leave their work to go to the voting booth?

A. No, sir.

Q. Then was it required of any of those who were away from the mill and not working, that they come in and vote before going to work?

A. They were not required, they could.

Q. But all were eligible in the plant to vote, under this Plan?

A. No, sir, it was an American citizen and 21 years of

age and you had been in the employ of the company previous to the day of the nomination.

Q. Previous to the day of the nomination for how long?

A. Well, it just says "previous to the day of nomination."

Q. And what were the qualifications for being eligible to act as an Employees Representative?

A. Had to be an employee of the company, but was not allowed to be under a supervisory capacity.

Q. And was there any length of time of employment required?

A. No.

Q. Was their any requirement as to citizenship?

A. They were required to be citizens.

Q. Do you have with you a copy of the constitution and by-laws that were adopted in 1933?

A. I have.

TRIAL EXAMINER LINDSAY: May I ask, Mr. Smith, are those the same as the constitution and by-laws that have been offered at Canton and Youngstown?

MR. SMITH: Well, I think they are substantially the same. I think there are some differences, and I know there was some difference in the manner of their meetings and so on. They were substantially the same, but there was some slight difference in them.

MR. LAUTER: It may be that the very document that is now being discussed has been offered in evidence already.

MR. SMITH: This is as to the Warren district. There has not been any offered in evidence as to the Warren district. First I will have this marked for identification Respondent's Exhibit 47.

(The document above referred to was marked as Respondent's Exhibit 47 for identification.)

Q. I show you a booklet that has been marked as Respondent's Exhibit 47 and ask you if you will state what that booklet is?

A. This is the plan of Employees Representation.

MR. SMITH: First, I will introduce it. I ask to introduce Exhibit No. 47 in the testimony. Do you desire to look at it, Mr. Hoskins?

MR. HOSKINS: There is no objection.

MR. SMITH: Will your Honor want to look at it?

TRIAL EXAMINER LINDSAY: No.

MR. SMITH: I offer it in evidence.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 47 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 47 was received in evidence.)

Q. (By Mr. Smith) I direct your attention to Article 3 on page 2 of Exhibit 47 and ask you to look at that and see as to the qualifications of Representatives?

MR. SMITH: I think that the witness is mistaken as to what that provides, and I want to give him the opportunity to correct it.

Q. (By Mr. Smith) Now, after refreshing your recollection by looking at this Article 3 of Respondent's Exhibit 47, do you wish to change your answer as to qualifications of a Representative?

A. I do.

Q. In what way do you want to change it?

A. They are required that they be an employee of the company for one year.

Q. Yes, and in other particulars your testimony remains as it was?

A. Yes.

MR. SMITH: I wish you would mark this paper as next exhibit for the Respondent.

(The document above referred to was marked as Respondent's Exhibit 48 for identification.)

Q. I show you Respondent's Exhibit No. 48 and ask you what that form was used for.

A. This is the notice that was posted throughout the mill on the various bulletin boards telling the results of the election.

MR. SMITH: I desire to introduce Respondent's Exhibit No. 48 in evidence.

MR. HOSKINS: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 48 may be received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 48" was received in evidence.)

MR. SMITH: Will you mark this Respondent's Exhibit No. 49 for identification?

(Thereupon the document above referred to was marked Respondent's Exhibit No. 49 for identification.)

Q. I show you a form that has been marked as Respondent's Exhibit No. 49 for identification and ask you what that form was used for.

A. This is the form of the employees to file their grievances with their representatives.

MR. SMITH: I desire to offer in introduction Respondent's Exhibit No. 49 which consists of four pages. The first one white, the second one, yellow, third, pink, and the last one is blue.

MR. HOSKINS: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 49 is received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 49" was received in evidence.)

Q. I notice that the Respondent's Exhibit 49 which

you say is the form that is used for presenting claims consists of four pages evidently that can be written at the same time through carbon sheets. Now, what was the purpose of having these four pages?

A. The representative got the original, the second copy went to the superintendent of the department, and the last two pages was sent to the management representative.

Q. Which in Warren was who?

A. Mr. McLain.

Q. Mr. McLain?

A. Yes.

Q. How many years during the time this plan was in operation were you a member of the Board of Representatives?

A. The first three years.

Q. How did the Board function after the representatives were elected? Now, what was the next step after that?

A. Well, they held their election of officers and then the various committees were appointed.

Q. Now, do you know who was elected Chairman of the employees' representatives? What is called the general body, I believe?

A. E. J. Mulligan.

Q. Did he serve throughout the period that the Plan functioned in that capacity?

A. He did for the three years that I was there.

Q. Now, you say that there were certain committees appointed. How many committees were there?

A. Four.

Q. How were those committees designated?

A. The No. 1, 2, 3, and 4 Committees.

Q. State briefly, if you will, the jurisdiction of Committee No. 1.

A. Committee No. 1 was the Rules, Ways and Means Committee.

Q. And No. 2 Committee?

A. Was working conditions and wages.

Q. And No. 3?

A. Safety and Plant Sanitation.

Q. And No. 4?

A. The Appeals Committee.

Q. Now, how was the Committee consisting of the employees of the representatives elected by the employees designated? Was there any other designation?

A. Well, they are mostly known by Committee No. 1, 2, 3 and 4.

Q. Now, you had joint meetings and separate meetings. How do you refer to them?

A. We had joint meetings for the meetings for employees representatives and the management representatives and the Plan Committees were just employe representatives.

Q. That is what I am referring to. The standing committee.

A. Yes.

Q. Now, when there was a meeting of the committee that was elected by the employees, where they met alone, that was called the Standing Committee, is that right?

A. Yes.

Q. How often would those committees meet?

A. Every other month.

Q. How often did the joint committees meet?

A. Once in between; every other month.

Q. So that there would be a meeting of the standing committee one month and the joint committee, and then the standing committee, and so on?

A. That is right.

Q. They met on alternate months?

A. That is right.

Q. Now, do you have meetings of what is known as your general body meeting?

A. We do.

Q. Now, of whom did that consist?

A. The standing general body committee, composed of all the employees representatives.

Q. That is with the representatives elected by the employees, did you also have joint meetings with that committee?

A. We did.

Q. How often would the general body committees meet?

A. They met alternate; every other month.

Q. That is, the standing committee?

A. That is the standing committee with the joint body—the general body.

Q. How often would they have joint meetings with the representatives appointed by the employer?

A. They would alternate every other month.

Q. How many members were there of each of these committees?

A. Five.

Q. Now, what was the situation as to your joint meetings and the committee representing your employer? How many people were there?

A. Five people.

Q. Five?

A. Yes.

Q. Now, did you hold any office in any of these committees?

A. I did.

Q. What was the office that you held?

A. I was secretary of Committee No. 4; the standing and joint committee.

Q. Now, did your standing committee organize by the election of officers?

A. They did.

Q. And did the joint committees organize by the election of officers?

A. They did.

Q. They did?

A. Yes.

MR. HOSKINS: What year were you secretary, Mr. Smith?

Q. What years were you secretary of these committees?

A. The first three years.

Q. During the time that you were a representative you were also elected as secretary, is that correct?

A. I was.

Q. Now, did you have different complaints during the time you were acting in this capacity as representative referred to you from your department?

A. I did.

Q. What was the procedure in connection with complaints that were presented to you? How did you handle them?

A. The employees would approach me with their complaints, which I in turn would go with the employe to his foreman, and then the foreman would go to the superintendent with the employee.

Q. Now, if you failed with both the foreman and the superintendent—that is, failed to get an adjustment, what would be the next procedure?

A. Then we would go to the management representative.

Q. That is, to investigate the claim?

A. Yes, sir.

Q. If you failed with the management representative, what would be the next procedure?

A. It would be placed in the hands of the committee that was in charge.

Q. For instance, if it was employment and wages it would be located on the No. 2 Committee?

A. That is right.

Q. Rules, Ways and Means Committee would be No. 3 and so on?

A. That is right.

Q. How would you present it to the Committee?

A. The representative would go along with the employee.

Q. Did you make your presentation orally or did you use any of these forms (indicating)?

A. We used forms.

Q. Now, would that be the form which is Respondent's Exhibit No. 49, consisting of four sheets?

A. That is the one.

Q. When that came up before the Committee, you presented the claim to them. What would you do in connection with that before the Committee?

A. Before the Committee?

Q. Yes.

A. Why, they read the claim and answered any questions to it.

Q. And presented your side of the case?

A. Yes.

Q. Now, would there be anybody there to present the other side of the case?

A. No.

Q. Would Mr. McLain appear at the meeting?

A. He was at the Committee meeting.

Q. And he would present his side of it, would he?

A. He would.

Q. Then it would come up for consideration with your committee?

A. Yes.

Q. Now, if you would fail to get an adjustment of it there, what would be the procedure following that?

A. We would place it in the hands of the Joint Committee.

Q. First it would come to your standing committee, wouldn't it?

A. Yes.

Q. And then placed in the hands of the joint committee?

A. Yes.

Q. What would be your next procedure then?

A. The same as the standing committee.

Q. You were there on behalf of your claim?

A. Yes.

Q. Now, if you failed to get an adjustment before the joint committee, what would be the next procedure?

A. Then it would be turned over to the Appeals Committee.

Q. Then if you failed to get an adjustment before the Appeals Committee, what further procedure would follow?

A. We then had the privilege of taking it to the president of the company.

Q. If you didn't get any relief from the president of the company, where did you take it from there?

A. With two-thirds of the majority of the Appeals Committee, and with the President's consent, it would be operated on.

Q. During the time you were on this—the three years that you were on this committee, do you know of any complaint that was not settled either in the Appeals Committee before reaching there—

A. With the exception of one.

Q. You mean there was one that was taken to the President?

A. No, to the Appeals Committee.

Q. Well, do you mean of your own claims, only one?

A. Yes.

Q. Maybe you don't understand my question. I mean,

if you know of any from any representative that was not settled either in the Appeals Committee or before it reached there?

A. No.

Q. Now, about how many claims would you say that you had during this period of time, Mr. Herst?

A. What?

Q. That you had during this period?

A. I suppose during the three-year period I must have handled a hundred claims.

Q. And you say that only one of them got to the Appeals Committee?

A. Yes.

Q. Do you remember what the result of that was?

A. It was settled satisfactory to both sides.

Q. About how many of the claims that you had, about what percentage were settled before it became necessary to go to a committee?

A. I would say easily 90%.

Q. Now, during this time that you were on this Committee serving as a representative, I wish you would state whether or not there was anybody connected with the Company, any of its officers or agents that you felt in any way interfered with you in the performance of your duties as a representative.

A. There were none.

MR. SMITH: I think that I have finished with the direct.

Cross Examination

Q. (By Mr. Hoskins) Mr. Herst, during the three years that you were a member, or rather a representative under the Employees Representation Plan, you were also Secretary of the Committee; is that correct?

A. That is right.

Q. Where were those various meetings held?

A. We had a meeting room that is known as the Trumbull Cliffs.

Q. Is that on Republic Steel property?

A. It is.

Q. And you were paid for all of the time you spent working on the Employees Representation Plan and the time you spent handling grievances and attending meetings; is that correct?

A. I was.

Q. Now, is it not true that during those three years the Company paid all the expenses on the Plan?

A. It was.

Q. That includes printed notices, bulletins, ballots, tallies, by-laws, constitution, minutes, all of the equipment and supplies of the committees, including a few pamphlets; is that correct?

A. It did.

Q. (By Mr. Hoskins) Did either the General Body or any of the standing committees have power to correct a certain situation? That is, now, only of themselves, by themselves?

A. No.

Q. To your knowledge, has the Employees Representation Plan formally dissolved?

A. All I can go by there is hearsay. I was not a Representative the last year of the plan.

Q. Well, to your knowledge, has it been dissolved?

A. Just by hearsay, that is all.

Q. What is your hearsay on it?

A. That it has folded up.

Q. But you don't know of your own knowledge whether it has been formally dissolved, is that not correct?

A. I know of my own knowledge that the representatives are not active.

Q. My question is, formally dissolved?

A. I can't say as I know it was formally dissolved.

MR. HOSKINS: That's all.

Redirect Examination

Q. (By Mr. Smith) Just one further question that has been suggested. I think I covered that. Was there anybody connected with the company in the capacity of officer, manager or agent, that in any way took part in or interfered in connection with the holding of elections?

A. There was not.

Q. They were elected solely by the employees themselves?

A. That is right.

MR. SMITH: That is all.

(Witness excused.)

TRIAL EXAMINER LINDSAY: Now, that concludes all of your testimony on Canton, Niles, Warren, and Youngstown?

MR. DAY: Yes, sir.

MR. LAUTER: And Massillon.

MR. DAY: And Massillon, yes, sir.

TRIAL EXAMINER LINDSAY: We will start tomorrow morning on your Cleveland testimony.

MR. DAY: Cleveland.

TRIAL EXAMINER LINDSAY: Now, we will adjourn until 9 o'clock in the morning.

(Whereupon, at 9.15 o'clock p. m. September 24, 1937, an adjournment was taken to 9 o'clock a. m. September 25th, 1937.)

Courtroom 3, Common Pleas Court, Cuyahoga County, Cleveland, Ohio.
Saturday, September 25, 1937.

The above-entitled matter came on for hearing, pursuant to adjournment, at 9:15 o'clock a. m.

Before:
John T. Lindsay, Trial Examiner.

Appearances:

Mark Lauter, Esq., and Joseph A. Hoskins, Esq., appearing for the National Labor Relations Board.

Luther Day, Esq., and Arno G. Erdrich, Esq., of the firm of Messrs. Day, Veach & Young, Union Trust Building, Cleveland, Ohio.

Judge Chas. F. Smith, Harry Manchester, Esq., and David E. Jones, Esq., of the firm of Messrs. Harrington, Huxley & Smith, 1200 Mahoning Bank Building, Youngstown, Ohio.

PROCEEDINGS

TRIAL EXAMINER LINDSAY: The hearing is called to order.

MR. DAY: If the Court please, you will recall at Youngstown we offered certain evidence with relation to alleged violence and alleged unlawful conduct upon the part of pickets and strikers and C. I. O. members at Youngstown, Warren, and Niles. The Court made a certain ruling on that subject, and, acting according to the Court's ruling as we understand it, we have prepared an offer to prove which we have here and now present.

I would like to have it understood that in presenting this offer to prove we reassert the objections and exceptions which we noted in the record in Youngstown, and the refusal of the Court to let us put these witnesses on one at a time, interrogating them one at

a time, and offer separate offers to prove one at a time, with relation to them.

And we also reassert the reasons why we believe this evidence is admissible, which were stated quite fully in the record, as your Honor knows, at Youngstown, by counsel for the Respondent.

TRIAL EXAMINER LINDSAY: But those reasons are not stated in your offer of proof.

MR. DAY: No, your Honor, there is nothing of that kind stated in the offer to prove, but as I understand, it was prepared by Mr. Manchester of counsel who is sitting here now, and as stated, the reasons for offering the evidence are not stated in the offer to prove. It is merely the offer to prove and we would like to have that marked as an exhibit and presented to the Court at this time. We have copy for counsel for the Labor Board. Shall we have it marked?

TRIAL EXAMINER LINDSAY: Yes.

(The document above referred to was marked as Respondent's Exhibit 50 for identification.)

TRIAL EXAMINER LINDSAY: Have you made your offer?

MR. DAY: Yes, we make an offer to prove.

TRIAL EXAMINER LINDSAY: No, I mean—

MR. DAY: We offer this exhibit, which embodies the Respondent's offer to prove as I have just stated, with relation to Youngstown, Warren, and Niles districts.

TRIAL EXAMINER LINDSAY: Yes. Now, Mr. Day, your individual offer of proof is in regard to the 75 or approximately 75 witnesses you said you would have to call at Youngstown. That is right, isn't it?

MR. DAY: Yes, although the number may be more than that. I am not certain about that. I think the names of the witnesses appear in the offer. I would

not like to be bound by 75, but I think the number will be apparent from an examination of the offer.

TRIAL EXAMINER LINDSAY: Have you anything you want to say, Mr. Lauter?

MR. LAUTER: Of course, I would just like an opportunity to examine the offer of proof. It is rather a lengthy document, and until we have had an opportunity to examine the offer to prove, I would like to reserve my right to make objections to it.

MR. DAY: That is quite satisfactory to us.

TRIAL EXAMINER LINDSAY: Yes; well, the offer of proof is taken under advisement.

MR. DAY: The record may show, I take it, your Honor, that it has been presented and marked as an exhibit, and you are going to take it under advisement?

TRIAL EXAMINER LINDSAY: That is right. And I will rule on the admissibility of it at a later date.

MR. DAY: Yes.

TRIAL EXAMINER LINDSAY: This is off the record.

(Discussion held off the record.)

HARRY E. GRIMM

a witness called by and on behalf of the Respondent, having been first duly sworn, testified as follows:

Direct Examination

Q. (By Mr. Day) Will you state your name, please?
A. Harry E. Grimm.
Q. Where do you live?
A. Valley City, Ohio.

Q. Valley City?

A. Yes, sir.

Q. Where is Valley City?

A. It is in Medina County about 27 miles from here.

Q. How long have you lived there?

A. Approximately four years.

Q. Are you a married man?

A. I am.

Q. Where do you work?

A. On the docks of Republic Steel Corporation in Cleveland—Corrigan McKinney Division.

Q. How long did you work for Republic or Corrigan-McKinney?

A. I worked there for Corrigan-McKinney from 1915 to 1917 to the war and came back about September 1st, 1933, up until the present time.

Q. And where did you work in the interim when you were not working for Corrigan-McKinney?

A. Oh, several different places. I was in the service; I worked for myself; I worked for MacMiller Real Estate Company and The May Company.

Q. You came back, as I understood you, and re-entered the employment of the Republic in 1933?

A. That is right.

Q. The Corrigan-McKinney?

A. Yes, sir.

Q. At that time it was Corrigan-McKinney?

A. That is right.

Q. And Corrigan-McKinney was taken over by Republic in 1930—

A. I believe 1936.

Q. 1936, yes. Now, what was your first connection with the Employees Representation Plan at Corrigan-McKinney?

A. Well, I was nominated and elected in the spring of 1934; in June, 1934.

Q. You were not in from the start of 1933?

A. No, I was not an employee of the Company then.

Q. You were nominated and elected to what office?

A. As a representative.

Q. For what department?

A. From the dock.

Q. After you were elected a representative from the department you have mentioned, did you begin to serve as a representative?

A. Immediately.

Q. And you served that one term, 1934 to 1935?

A. I served from the time of election in 1934 until the Wagner Act was declared constitutional. I was re-elected.

Q. That was some time in 1937?

A. I was re-elected in 1935 and 1936.

Q. Were you an officer of the Employees Representation Plan at any time?

A. I was secretary.

Q. You were secretary of the E. R. P.?

A. Yes. That is, the last two terms I was in. The first term I was not.

Q. Well, I will ask you whether you have collected together what I have here of various documents and papers relating to the E. R. P.

A. If those were the ones I collected together, that is what they are.

MR. DAY: Will you mark this Respondent's Exhibit No. 51 for identification?

(Thereupon the document above referred to was marked Respondent's Exhibit No. 51 for identification.)

Q. Before offering any of these exhibits, I would like to have you state after you became a representative and became connected with the E. R. P., how were the representatives selected? What was the first step?

A. In selecting the representatives?

Q. Yes.

A. There was nominations for the office of representative.

Q. By the way, the E. R. P. that I am asking you about, and of which you were a representative yourself—

A. Yes.

Q. —was in connection with what plant of the Republic?

A. The Corrigan-McKinney plant.

Q. Can you give us some idea as to the number of persons employed there?

A. There were about 3400 this last spring; I don't know just the exact number.

Q. Now, what would be the first thing that would be done in connection with the selecting of representatives after you went in there? I understand you were not in there at the beginning.

A. The Election Committee which consisted of the general committee posted notices or had notices posted in different places about having nominations and the number of nominees.

Q. That would be elected from each department?

A. Yes, sir.

Q. I am showing you a paper that has been marked as Respondent's Exhibit No. 51 for identification and ask you what that is.

A. That is the notice of nomination and election probably posted by the Election Committee.

Q. I notice this says: "Nominations, June 9, 1936."

A. That is right.

Q. Do you know whether or not similar notices were posted the other years that you were connected with the E. R. P. and the Corrigan-McKinney plant?

A. They were about the same as that. The number of representatives to be elected from the different departments may have changed some and the names of the Elec-

tion Committee at the bottom may have changed some; otherwise, they were substantially the same.

Q. You don't say they were verbatim but substantially the same?

A. Yes, substantially.

MR. DAY: I would like to offer Respondent's Exhibit No. 51 in evidence.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 51 may be received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 51" was received in evidence.)

Q. Where were these notices posted?

A. On the bulletin boards in all of the departments of the plant, all of the clock houses. Any place where there was a bulletin board they were posted.

Q. What is the clock house?

A. A place where the cards are kept for ringing in and out.

Q. That is the place where all the men get to?

A. They must pass through there in order to get to and from work.

Q. Now, after the notice of election was posted, what was the next step in the selection of these representatives?

A. The Election Committee had these several voting divisions, ballots, boxes, placed with tellers and ballots for the men to pick the candidates that way on the date set for the nominations. On that date each employee who desired was given a nominating ballot which he marked and placed in the ballot box.

Q. Where did they get the ballot. How is it handed to them?

A. There were tellers appointed by the Election Committee to hand it to them.

Q. Now, who were those tellers? What was the status

in the mill of which tellers were appointed? Who were they?

A. Well, they might be almost anyone except the men who might be in a supervisory capacity. No man could do that. Any man, however, who worked there was eligible to be a teller or hold office.

Q. Now, could any man in a supervisory capacity be eligible for membership?

A. No, sir.

Q. State whether or not men in a supervisory capacity acted as tellers and judges.

A. They did not.

Q. They were all employees?

A. They were all employees.

MR. DAY: I have here, Mr. Lauter and Mr. Trial Examiner, a notice of the first election. I don't think this witness can identify it but I would like to put it in evidence in connection with that. However, I have another witness who can.

MR. LAUTER: Let me see it.

MR. DAY: Yes. (Handing a paper to Mr. Lauter).

MR. LAUTER: No objection.

MR. DAY: I would like to have this marked as Respondent's Exhibit No. 52 for identification.

(Thereupon the document above referred to was marked Respondent's Exhibit No. 52 for identification.)

Q. (By Mr. Day) I understand, Mr. Grimm, that you were not a representative when the Plan was inaugurated back in 1933, but I find this in the papers that I have in connection with your evidence and is that, as far as you know, the notice of the first election?

A. That, so far as I know, was notice of the first election which was given me as the incoming secretary at that time as the poster for the first election.

MR. DAY: I offer that in evidence.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit 52 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 52 was received in evidence.)

Q. (By Mr. Day) How was it determined on representatives or what number of representatives these various departments of the Corrigan-McKinney plant had in this representative plan?

A. That varied with the number of employees in the department and was at one time revised. There were two different times. One time for each 250 employees or major portion thereof, and it was changed later to each 200 employees or major portion thereof.

Q. One representative for 250 men, and afterwards 200 men?

A. Yes, that is right—each voting division. Not by the departments. The voting divisions were not necessarily departments.

Q. Will you explain that? Maybe I got mixed up on that? What do you mean? What is the difference between department and voting division as you understand it?

A. The voting divisions were arrived at by the election committee, whch consisted of the whole general committee. They subdivided the plant in such a manner as to give everybody, so far as they could, the best representation.

MR. DAY: Mark this Exhibit 53.

(The document above referred to was marked as Respondent's Exhibit No. 53 for identification.)

Q. (By Mr. Day) On this paper which has been marked Respondent's Exhibit No. 53 for identification that I now hand to you, what is that?

A. That is the classification of voting divisions for the year 1936 and what was proposed for 1937.

MR. DAY: I would like to offer that in evidence.

MR. LAUTER: May I see it?

MR. DAY: Certainly.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 53 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 53 was received in evidence.)

Q. (By Mr. Day) Now, you have told about the notices of election, and you have introduced some of the forms in evidence. After the notice was put up at various points in the mill, what is the next step in the selection of representatives?

A. Well, those who were interested in being elected for position as representative, in some cases done a little electioneering among their fellow workmen, and at the time of nominations, if they were nominated one of the three high for each representative to be elected, his name was placed on the election ballot. There were three men to be nominated for each representative to be elected. The three who received the highest number of votes at nomination in that voting division for each representative to be elected, were placed on the ballot for election, and at election time they were elected from those elected in that manner.

Q. Anybody who wanted to run for nomination just ran, is that it?

A. Well, generally speaking, yes.

Q. Just like running for any office?

A. Just like for any office.

Q. Ordinarily?

MR. DAY: Will you mark this our next exhibit, please?

(The document above referred to was marked as Respondent's Exhibit No. 54 for identification.)

Q. (By Mr. Day) What is Respondent's Exhibit for identification No. 54?

A. That was a nomination ballot form used in the open hearth and laboratory department; that was the voting division.

Q. This says June 9th, 1936?

A. That was our last general election.

Q. You may state whether or not the other nomination ballots were, if not identical, similar substantially the same as this?

A. They were identical except for the name of the voting division which is here, and the number of nominees to be elected.

Q. I see.

MR. DAY: Do you want to see it, Mr. Lauter?

MR. LAUTER: I would like to see all exhibits before they go in evidence. No objection.

MR. DAY: I take it if your Honor wants to see any of these, you will let me know. I would like to offer in evidence Respondent's Exhibit 54.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 54 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 54 was received in evidence.)

Q. (By Mr. Day) You have gone down, now, to the point where there were elections for nominations? Now, I think you have described the voting; I think you did describe the voting booths and that the men had ballots and cast their ballots. And while I am on that subject, who paid for the expenses of the voting booth, and who paid the expenses for printing notices, and who paid the expenses for the nominat on ballots and election ballots and all that?

A. The company stood all of the expense in connection with the election.

Q. And so far as you know, the company did that from the time you started there?

A. From the time I started, that was their policy.

Q. Through the election in 1937?

A. There was no election in 1937.

Q. 1936?

A. 1936.

Q. Well, how were the candidates who had been nominated, certified?

A. There were sent to the several voting divisions a certificate of nomination in duplicate or triplicate or whatever it took to post on as many bulletin boards as there happened to be in that voting division, to notify the employees there of who had been nominated to serve as representatives from their department.

MR. DAY: Will you mark this statement for identification our next exhibit?

(The document above referred to was marked for identification as Respondent's Exhibit No. 55.)

Q. (By Mr. Day) What is this paper I hand you marked for identification Respondent's Exhibit 55?

A. That is a certificate of nomination which shows the men who are the three high men nominated in the voting division which is named.

Q. That is, at the June nomination and election of 1936?

A. That is right.

Q. Do you know whether or not, if not identical, substantially similar certificates were used in connection with other nominations?

A. They were identical except for the difference in names and the voting division to which they were attached.

MR. LAUTER: No objection.

MR. DAY: I offer it in evidence.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 55 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 55 was received in evidence.)

Q. (By Mr. Day) At the point at which we now stand, candidates have been nominated?

A. They have been nominated, three candidates for every candidate to be elected.

Q. What was the next step?

A. The election was the next step.

Q. How was the election handled?

A. Well, the same as the nominations. There were tellers appointed to attend the booths, and the ballots were passed to the employees; they voted; the ballots were counted, and the man receiving the high number was elected representative from that voting division.

Q. Who acted as tellers?

A. Employees of the plant who were selected by the election committee.

Q. Who acted as judges?

A. They were selected from among the Employees' Body by the election committee, too.

Q. Where were the ballots examined and tabulated?

A. In our regular meeting hall in the hospital building, second floor of the hospital building.

Q. And that was on company property?

A. It was.

Q. State whether or not any person working for the company in a supervisory capacity was present at the time that the votes were counted and tabulated?

A. They were not.

Q. Or anybody in connection with the police department?

A. There was one time that the police had representatives in the Plan, and at that time they were allowed to have a man in the room while the ballots were being counted.

Q. They were?

A. Since that time there was a revision of rules and the police were left out. Since that time, I believe, they haven't had anything to do with our elections at all.

Q. Well, then, when the police were there and participated in these nominations and elections and so forth, they were entitled to representation, is that right?

A. They were what?

Q. Entitled to representation?

A. Yes, sir.

Q. And when was that discontinued?

A. In 1935, I believe.

Q. I hand you now a paper we will have marked for identification Respondent's Exhibit 56, and ask you what that is?

(The document above referred to was marked as Respondent's Exhibit No. 56 for identification.)

A. That is an election ballot for the rolling mill department.

Q. And that question says 1936. Well, state whether or not the election ballots for prior years were similar or substantially the same as this.

A. They were substantially the same.

MR. DAY: I would like to offer Respondent's Exhibit 56 in evidence.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit 56 may be received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit 56" was received in evidence.)

Q. If the representatives were elected in the manner

you have described, state how the fact of their election was certified.

A. The same as in nomination. The certificate of election sent to the Committee and posted on the bulletin boards.

MR. DAY: Will you mark this Respondent's Exhibit No. 57 for identification?

(Thereupon the document above referred to was marked Respondent's Exhibit No. 57 for identification.)

Q. I hand you a paper which has been marked for identification as Respondent's Exhibit No. 57 and ask you what that is.

A. That is the certificate of election held in June, 1936, of the dock.

Q. I notice in passing that you have gotten 63 votes on that election.

A. Yes.

Q. State whether or not the certificates of election used in years other than 1936 were the same or substantially the same as this.

A. They were substantially the same as that.

MR. DAY: I would like to offer in evidence Respondent's Exhibit No. 57.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit No. 57 is received in evidence.

(Thereupon the document heretofore marked "Respondent's Exhibit No. 57" was received in evidence.)

Q. Were you familiar with the books that were issued in connection with the Employees Plan of Representation—

A. I am.

Q. The contents of which you would ordinarily call, I

assume, the constitution or constitution and by-laws or something of that kind?

A. Yes.

Q. Mr. Grimm, I am going to show you a little book which has been marked Board's Exhibit 100 and which has been introduced in evidence, and ask you to examine it and tell me if you know—look it through and tell me if you know what that is.

A. That was the plan of representation of the Corrigan-McKinney Steel Company in 1934 and revised in 1935 and 1936.

Q. That is the 1934 plan?

A. 1934 plan.

Q. State whether or not, to the extent that you know of this little booklet, what it contained and if it expressed the method that was generally used in carrying out the condition of the Plan.

A. That is the ruling under which we operated.

Q. State whether you knew whether the members of the Plan were given these books.

A. All the employees who were eligible to vote.

Q. All the employees who were eligible to vote?

A. Any man who was an employee in the plant at the time of the nominations.

Q. Was the rule at one time changed?

A. The rule was changed once later. He had to be an employee for nine days prior to the time.

Q. Who were eligible to vote or hold office in the plant?

A. All except the men who would be in a supervisory capacity.

Q. Who would be eligible to hold office in the plant?

A. The men except those who were in a supervisory capacity.

Q. Was there any difference in the relation—with relation to eligibility and ineligibility to hold office?

A. That was revised, I believe, in the last book, I think it was. Six months he had to be an employee to be able to hold office.

Q. Anything said about citizenship?

A. 21 years of age and had to be an American citizen.

Q. To hold office?

A. To hold office.

Q. There is another book in this record which has been introduced in evidence as Board's Exhibit 91. I wish you would examine that and leaf through it and tell me what it is.

A. That was the plan of Employees Representation in 1936 before the revision. The book was revised in 1936.

Q. You identify that exhibit as being one of those books?

A. Yes, sir.

(Discussion off the record.)

Q. I think you have described now the manner of nominating representatives and electing them, and you have told us about the book of regulations or the constitution or whatever it is. What committees did the Plan have?

A. We had four standing committees. I think at times there were appointed special committees to serve for special purposes.

Q. Now, what were the four standing committees? What was the first standing committee?

A. We are not like the other plan; we don't have numbers. The first one, I believe, was the Rules, Wage and Means Committee.

Q. They were not numbered 1, 2, 3 and 4?

A. No, we didn't number them. The first one of our committee was the Rules, Wage and Means Committee.

Q. What did that committee do? What was its function?

A. Their duty is to take under advisement any changes of the rules or the procedure or generally speak-

ing, keeping the rules in such shape as they desired. Any recommendation or changes or alterations.

Q. Did that committee have anything to do with the election?

A. With the election?

Q. Yes.

A. They were part of the Election Committee. The whole general committee consisted of all the elected representatives with the elected committee.

Q. They were all on the same footing, is that right?

A. There was the Chairman and the Secretary and the rest of them were on the Election Committee. They had one more voice than the others. The Chairman, the Vice-Chairman and the Secretary.

Q. How were they selected?

A. They were elected by the representatives among their own number.

Q. By the representatives?

A. Yes, sir.

Q. Did the members of the Plan pay any dues?

A. No, sir.

Q. That was through all the time that you were connected with the Plan?

A. That was true all the time they were in. There were no dues in connection with the Plan at all.

Q. And it is also true that the expenses incident to the operation and conduct of the Plan were paid by the Company?

A. That is right.

Q. Of course, that was the Corrigan-McKinney up to the time that Republic took it over and then it was Republic; that is correct, isn't it?

A. That is right.

Q. Name another Committee.

A. The Wages, Schedules, Tonnage, Methods and

Economies.

Q. What did that Committee do?

A. They investigated any controversy that came up on any of the subjects mentioned. That was their job.

Q. Name another Committee. A standing committee.

A. The Mutual Relief Committee.

Q. What did that Committee do?

A. They investigated any report that someone was in need; see what they could do for them, and anything in the way of relief that was talked of by way of joining a party or raising funds for some party that was in need.

Q. Name another standing committee.

A. The Sanitation Committee.

Q. What did it do?

A. They inspected the plant. They had a sanitary inspection once a month. Towards the last it was once a month; before that, it was occasionally.

Q. Can you name another Committee?

A. Athletic and Recreation Committee.

Q. Well, we will not spend much time on that. Was there an Appeals Committee?

A. We had no Appeals Committee.

Q. You had no Appeals Committee in this organization of yours?

A. No.

Q. Can you name any other Committee that you did have that I haven't asked you about?

A. I believe that was all. There were five standing committees.

Q. Five standing committees?

A. Yes.

Q. Who selected the personnel or members of the various committees?

A. They were selected by the Chairman; that is the General Chairman who had been elected either—had been

elected by a representative group or among the group; and the Chairman of the Subcommittee, who had also been elected from the group, got together and selected the different committees.

Q. Well, you say that you had no Appeals Committee. How were grievances handled under your plan?

A. How they were handled?

Q. Yes, the plan that you are describing now?

A. If an employee had a grievance he went either to his representative or in person and then they took it up with the men in charge.

Q. Just a minute. I should have asked you this before. Were there any joint committees?

A. There was at one time but they were elected out in 1935, I believe.

Q. What was the difference between a standing committee and a joint committee? What did the two committees consist of?

A. Well, the general body had their standing committees. The only joint committee we have was where the men selected by the management and the representatives made up the various joint conferences and committees.

Q. That is what I am getting at. During what period of time after you became connected with this Plan was there a joint committee or a Company Management Committee?

A. I believe they only served one year. The year 1934, I think.

Q. When that Committee did serve how was it composed?

A. They was equal. There were an equal number of management representatives that met in conference with the representatives, and any question that came up was discussed by them, and a vote taken of the merits of the case.

Q. Well, generally—you have told us about the Employees Committee. Generally, who composed the Management Committee?

A. In some cases they were either superintendents or foremen. I believe in all cases they were as far as I know. I don't remember all of them. I believe they were all foremen or superintendents.

Q. Selected by the management?

A. Selected by the management.

Q. With what committees of the Plan selected by the employees did this Management Committee meet?

A. None of the subject committees; none of the standing committees. Just with the general committee.

Q. With the general committee?

A. That was all the representative group.

Q. All of them together?

A. Yes, sir. That is as I recall it. I may be a little off.

Q. How many were on this general committee?

A. Well, the number varied at different times. It first started with eight and t the time it was dissolved it was 16.

Q. In that Plan?

A. In that Plan.

Q. They would meet with the Management Committee? They would meet with them?

A. Yes.

Q. How many would be on the Management Committee with the Employees Committee?

A. An equal number. If we had 12 representatives, they had 12.

Q. How frequently would the members of the Standing Committees of the plant meet?

A. Once a month.

Q. That was the general committee?

A. Yes, sir.

Q. Where would they meet?

A. In a room furnished by the Company. The hospital room.

Q. How were they paid for the time they spent in attending meetings?

A. They were paid their regular rate of pay for the time spent in any representative work.

Q. That is, if they spent so much time—they got just the same pay as they would have gotten working?

A. Yes, sir.

Q. Paid by the Company?

A. Paid by the Company?

Q. How frequently would the joint committee meet with this Management Committee?

A. They—as I recall it, met once a month.

Q. During all the time or just a part of it?

A. Pardon me?

Q. During all the time or just a part of it?

A. Well, as long as the joint committee, —

Q. Where would those meetings take place?

A. The same place, in the hospital room.

Q. Were the employees who met with the Management Committee paid in the same way by the Company and so forth for their time?

A. You mean the Management Representatives?

Q. No, I mean the others. I mean getting at it this way. Were the members of the Plan, the Employees Representatives, paid the same way when they met with the Management Representatives as they were when they met by themselves?

A. Oh, yes.

Q. I wish now you would tell us how you handled grievances under this plan.

A. Well, if an employee or a group of employees had a grievance they could take it up with the man who was

in charge there; any person or through their representative.

Q. Who?

A. The man in charge. The foreman or sub-foreman.

Q. Suppose we take a man working in some department. What was your department?

A. The dock.

Q. Suppose he has a grievance and he wants to have it considered by his employer—the Company. Under the Plan, what was the first thing he would do?

A. He would either go to his foreman himself or take it to his representative and have his representative go to the foreman or both of them go to the foreman.

Q. Now, his representative—you mean the representative under the Plan for his—

A. For his voting division.

Q. For his voting division?

A. That is right.

Q. So as I understand you, he would go to the foreman or go to the representative, and they together would go to the foreman?

A. That is right.

Q. Or would the representative go by himself to the foreman?

A. He could. He worked any one of the three ways.

Q. Now, an ordinary typical case, when this man contacted the foreman in the manner you have described, what would happen?

A. Ordinarily there wasn't much a foreman uld do about a grievance, generally speaking. He told them to go up to their department head, and that is usually the procedure. They would go from the foreman to the head or the superintendent.

Q. (By Mr. Day) Who would go up there?

A. Either the man himself or his representative, or both.

Q. And then in a typical case what would happen when they got to the superintendent?

A. Well, the grievance or supposed grievance was talked over with him. If there was anything he could settle, he would settle, and that was the end of it. And this is all verbal, up to this place.

Q. Just talk, up to that.

A. Just talk up until now. If there was something he couldn't or wouldn't settle, then the regular procedure would be to put it in writing and file it with the superintendent. Any grievance, anything that was taken up in that way should be taken up in writing, that was the rule, but generally speaking it wasn't. It was usually verbally, first, because a lot of these things were settled right now, without any squabbling at all, and they made no record of them at all.

Q. Can you give us any idea or estimate as to the proportion of grievances that would be settled in the procedure, before the superintendent?

A. I can, from my own department, but I would have to look the records up to see the rest of them, because I have them. In my own department I had 76 cases during the period of time that I was a representative, and there was only one of them went beyond the department head.

Q. And the department head is the superintendent?

A. The superintendent.

Q. If the employee is not able to work out his grievance at the conference with the superintendent, in the manner you have described, what is the next step available to him under the Plan?

A. He would file that in writing, that is the representative would file it in writing with the superintendent or

the department head, and go to the management's representative with it.

Q. Were there any written forms provided under your Plan for this?

A. There was, and I neglected to bring one of them down. It is similar to the ones you had here yesterday, I believe, with the exception that we didn't have as many duplicate copies as they had.

MR. DAY: May I have one of those introduced yesterday?

Q. (By Mr. Day) Mr. Grimm, I have here Respondent's Exhibit 46, I think it is A, B, C, and D, which were presented in evidence last night when we were examining a representative under the Warren Plan; I will ask you to state generally whether the blanks that are provided by your Plan were similar to these? Look them all over before you answer the question, please.

A. No, they are not.

Q. They are not the same?

A. They are not the same.

Q. You do not have with you any?

A. I haven't no.

MR. DAY: May I find out if anybody back there has got them? I can put them in evidence if they have.

(Discussion held not made a part of the record.)

Q. (By Mr. Day) Without stopping now, Mr. Grimm, to get the blank, if there was a blank, will you just tell us generally what kind of blanks they were and we will try to introduce them in evidence to show what they actually were?

A. They were a printed form, I can't tell you just the wording on them, to file complaints with the department head and the management's representative, and secretary.

Q. Do you know whether they were made out in more than one form, more than one paper?

A. No, as I—I am reasonably sure that it was just a single—the same kind of paper but we made them in triplicate.

Q. Made in triplicate?

A. Yes, we made them in triplicate.

Q. You made them in triplicate?

A. Yes.

Q. Where did the different papers, if they were made out in triplicate go? Who got them?

A. One went to the department head, one to the management's representative, and one was supposed to go to the secretary.

Q. And by the way, you mentioned management representative. Now, who was the management representative in the Corrigan Plant?

A. In the Corrigan Plant first it was Dr. Engle, in the Corrigan-McKinney Plant; and when the Republic Steel Corporation came in, it was Mr. Wakefield.

Q. He got one of these complaints and the superintendent got one?

A. That is right.

Q. Who got the other one?

A. The secretary of the general committee.

Q. Of the general committee, under the Employees Plan?

A. That is right.

Q. Is that what you were?

A. I was.

Q. After these papers were received by these various persons, what was the next step?

A. If the management's representative would not settle the controversy, it was given to the general committee.

Q. Well, who met with the management representative after these papers were distributed around?

A. Usually the representative who handled the complaint discussed it with the management's representative and he, in turn, undoubtedly with the management. I don't know where he went.

Q. And did they have a meeting?

A. Yes.

Q. If there was no satisfactory disposition of the complaint at that point, what was the next thing that happened on that?

A. The general committee acted upon the merits of the case that was given to them.

Q. The general committee, now, who was that?

A. That was all of the elected representatives.

Q. Any management's representative there?

A. No, sir.

Q. Well, now, you say they acted on the case. How did they act?

A. They investigated the case and if the committee that investigated it thought that it had merits—well, whether they thought so or not, there was a motion passed to vote whether or not the committee felt that the case had merit.

Q. Well, suppose that they voted that the case had merit, then what was the next thing happened?

A. If the case had merit, the district manager was contacted.

Q. By whom?

A. By the general committee.

Q. All of them together?

A. Either all or in part. Sometimes one and sometimes there was the committee went.

Q. How was he contacted? Was he brought into the meeting or how?

A. No, there were different ways. Sometimes he was called on the phone and appointment made and he was met in his office. Other times the management's representa-

tive was contacted and he made arrangements for a meeting. Usually it took place in the district manager's office.

Q. And if no satisfactory results were obtained with regard to the grievance, then what was the next step, if there was any?

A. In our last book of rules, the last step was the president of the company was contacted. The general committee contacted the president of the company for his decision.

Q. How did they contact him?

A. Either directly by phone or through the management's representative.

Q. And if no results were obtained there, what was the next step?

A. An arbitrator or arbitrators as the case would need were selected if the president of the company and the majority of the representatives voted in favor of that action.

Q. While you were secretary of the Plan at the Corrigan-McKinney Plant did any grievance get as far as arbitration, that you know of?

A. We never had one go outside of our own plant, past the district manager, as far as I know.

Q. Never had any go past the district manager?

A. No.

Q. Didn't get up to the president and didn't get into arbitration?

A. No, sir.

Q. What happened to those complaints? What, if anything, was the reason why they never got past the district managers?

A. They were settled one way or the other, either the complaint was settled in favor of the complainant or it was settled against him and he didn't go through with it, and it never was carried on.

Q. While you were there as secretary, have you described the manner in which the Plan operated at Corrigan?

A. Generally speaking, yes. There were revisions and changes made in the by-laws from time to time; there were occasions when a special committee was appointed to handle a special case in a special manner, but generally speaking, the procedure I gave you was practiced.

Q. Well, did there come a time when there was a change in the company's providing finances for any part of the operation of this Plan?

A. Not until the Wagner Act was declared constitutional.

Q. Answer the question yes or no. Was there?

A. There was, yes.

Q. About when was that?

A. That was on the 13th of April that it was announced to us.

Q. Of this year?

A. Of this year.

Q. Was the Plan ever formally dissolved, as far as you know?

A. No, there was no formal dissolution, at all.

Q. No formal dissolution of it?

A. No.

Q. Well, what happened about April 12th or 13th, when you say there was a change?

A. Our regular meeting for the month of April was scheduled to be on the 13th of April and we met that day and during the course of that meeting Mr. Wakefield, the management representative, was called into the meeting and while there he told us that the Supreme Court had upheld the Wagner Relations Act, and that so far as he knew the company would no longer be able to give us any financial support, and from that time on during that meet-

ing it was almost entirely taken up by a general discussion of the Wagner Act.

Q. Of the Wagner Act? State whether or not, to your knowledge, the company, Corrigan-McKinney or Republic, interfered with or sought to dominate the elections that were held for representatives?

A. Dominate the elections?

Q. Yes.

A. They had nothing to do with them, whatsoever.

Q. You may state whether or not, to your knowledge, during the operation of the Plan, the company, Corrigan-McKinney or Republic, sought to dominate or interfere with the operation of the Plan?

A. Not to my knowledge, no.

MR. DAY: I think that is all in direct examination. May we have a recess now? I will contact the office.

TRIAL EXAMINER LINDSAY: All right, we will have a short recess.

(Recess had.)

TRIAL EXAMINER LINDSAY: The hearing is called to order.

Cross Examination

Q. (By Mr. Lauter) What part of the plant do you work in?

A. In what department?

Q. Yes.

A. Dock.

Q. The river dock?

A. The river dock, yes.

Q. What is the nature of your work?

A. I am a repair man and mechanic.

Q. Where is the dock located with respect to the plant?

A. Well, it is part of the plant that is on the west side of the river, directly across from the open hearth.

Q. What do you repair?

A. What do I repair?

Q. Yes.

A. Units. Bridges. Cranes. Bin cars.

Q. Now, are there any boats coming up to the plant where you work?

A. Yes.

Q. What is that?

A. Yes, they come in there regularly.

Q. Are these Republic boats?

A. I haven't any idea who owns them. They come in. They have different names on them. There are some Hutchinson boats and some Cleveland boats and some Nicholson boats. I don't know who owns them.

Q. What do they bring into the plant, do you know?

A. Ore and limestone and scrap.

Q. Where do these boats come from? What is the lake out here?

A. Yes.

Q. What is the name of the river they come up on?

A. The Cuyahoga River.

Q. The Cuyahoga River?

A. Yes, sir.

Q. Has that a connection with any lake?

A. Yes, it runs into the lake.

Q. What lake?

A. Lake Erie.

Q. And the boats come down Lake Erie? From Lake Erie down the Cuyahoga River?

A. They go up the Cuyahoga River.

Q. I see. Now, you have mentioned some of the

things that are brought in by boats. Have you mentioned all the things?

A. I have mentioned them all.

Q. What?

A. That was all that was unloaded there, and we loaded steel and pig iron.

Q. Where does the iron come from, do you know?

A. Why, most of it comes from Minnesota. Where it all comes from, I don't know.

Q. What did you say?

A. Minnesota; up around Duluth; somewhere around there.

Q. What are some of the other articles?

A. Limestone.

Q. Where does that come from?

A. Some from Kelly Island and some from Michigan.

Q. Now, the first island. Where is that located?

A. Kelly Island?

Q. Yes. Where is that?

A. It is an island in Lake Erie off of Huron.

Q. Is that a part of this state or another state? Who owns the island?

A. I imagine it is part of this state; I don't know.

Q. Now, what are some of the other products you mentioned?

A. Scrap.

Q. Where does that come from?

A. Oh, various places. They buy it wherever they can.

Q. You mean outside of the state?

A. I don't know.

Q. You say wherever they can. It is brought by boat?

A. Yes. Up the river on boats. I don't know much about it.

Q. I understand that you are giving just general information.

A. So far as I know.

Q. What are some of the other articles?

A. That is all that is brought in.

Q. What is sent out?

A. Pig iron and steel.

Q. Where does that go?

A. Well, some goes one place; some goes to General Motors.

Q. That is in Michigan?

A. I don't know; I don't know what plant it goes to.

Q. That goes out on the lake?

A. That goes out on the lake.

Q. To what other state?

A. That I don't know; I haven't any idea.

MR. DAY: I don't know how much he really knows—

MR. LAUTER: He is testifying about his knowledge; he has general information about the subject.

THE WITNESS: I don't know where it is shipped to; no, I don't know.

Q. What are some of the steel products that go out?

A. Sheet bars, billets mostly.

Q. Those are loaded on boats as they come to the Corrigan-McKinney plant?

A. That is right.

Q. You work in the dock section or dock department?

A. Yes.

Q. The river dock as it is known?

A. That is right.

Q. You repair work in your department?

A. Yes.

Q. Is that correct?

A. Yes.

Q. And physically in the plant that department is located near the river; is that right?

A. Right on the river.

Q. Right on the river?

A. Yes.

Q. Meetings of the Employees Representation Plan were held on the Company property and on Company time, is that correct?

A. They were on Company property and usually on Company time. Well, always on Company time so far as we are concerned.

Q. You always got paid for it?

A. We always got paid for it.

MR. LAUTER: That is all.

MR. DAY: That is all.

(Witness excused.)

JOHN WALSH

a witness being called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Day) Will you state your name, please?

A. John Walsh.

Q. Is that W-a-l-s-h?

A. W-a-l-s-h.

Q. Where do you live, Mr. Walsh?

A. 2225 Courtland Avenue, Cleveland, Ohio.

Q. Where do you work?

A. Republic Steel Corporation, Corrigan-McKinney plant.

Q. In what capacity?

A. As a helper in the open hearth.

Q. The open hearth?

A. Yes, sir.

Q. By the way, we have heard open hearth mentioned here all through this case. What is an open hearth?

A. The open hearth is a place that consists of furnaces where the steel is melted and poured into ingot form and there drawn over to the rolling mill.

Q. You are with the Corrigan-McKinney plant?

A. Yes, sir.

Q. How long have you been with them? How long have you worked there?

A. 15 years.

Q. Were you working there in 1933?

A. Yes, sir.

Q. What, if any, knowledge have you of the beginning of the Employees Representation Plan at the Corrigan-McKinney plant?

A. At that time there was a Committee appointed. I believe at that time by Mr. McCaslin.

Q. Now, who is he?

A. He was the general superintendent—general manager, I believe, or general superintendent of the plant. The open hearth.

Q. Of the Corrigan-McKinney?

A. That is right.

Q. Go ahead.

A. There was a Committee appointed by him consisting of men picked from various departments. They conducted the nominations for the first mutual election.

Q. Well, Mr. McCaslin picked the men out?

A. Yes, sir.

Q. Were you one of those picked out?

A. No, sir.

Q. When did you become connected with the E. R. P.;

the Employees Representation Plan at the Corrigan-McKinney plant?

A. I was nominated in the first regular election.

Q. You were not in on this first committee?

A. No, sir.

Q. Then you didn't attend any meetings of this first committee?

A. No, sir.

Q. You don't know of your own knowledge what they did?

A. No, sir.

Q. Now, what was your first personal connection with the E. R. P.?

A. My first personal connection was the day they told me I was nominated for the election of representatives.

(Discussion held off the record.)

Q. (By Mr. Day) In what department was that?

A. Open hearth department.

Q. Had you made any campaign or anything?

A. No, sir.

Q. You just got nominated?

A. That is right.

Q. And that was the first election?

A. No, sir.

Q. Well, did you vote in that election yourself?

A. Yes, sir.

Q. And I think it already appears that the Plan was inaugurated in 1933?

A. Yes, sir.

Q. Can you give us any idea of when in 1933? About what month?

A. After I was elected, I can give you a general idea from there on, but until that time I didn't know very much about it.

Q. Well, where was the first election held?

A. That is, do you refer to ballot boxes and so on?

Q. Yes, that is what I am trying to get at?

A. There were ballot boxes—

MR. DAY: Your Honor understands that Mr. Grimm was not in at the very start. That is the reason I am calling Mr. Walsh.

TRIAL EXAMINER LINDSAY: Yes.

A. Ballot boxes were placed at each one of the entrance gates of the plant. Boxes were taken out of the hospital building, placed at these gates, and a lock placed on them. There were slots in the top of the boxes to drop your ballot in.

Q. Now, who provided those boxes?

A. The company provided them.

Q. And while we are on that subject, state, if you recall, whether the company provided, or so far as you know, the company provided the ballot boxes and the voting booths and the notices of election and certification of election and all of the papers and so forth that were necessary in connection with holding these elections?

A. So far as I know, they did.

Q. Now, the first election was held in 1933?

A. Yes, sir.

Q. And you have described about the ballot boxes; where did the men get the ballots that they cast?

A. The ballots were passed by a committee of men picked by this committee; the first election committee was picked by the company or Mr. McCaslin at the time they had picked the men from various departments to act as tellers and judges and to assist in passing out ballots as the men passed either to or from work. That is, at starting time or quitting time.

Q. How long did the first election take, if you remember? About how long from the time it started until the time the polls were closed?

A. 24 hours, if I remember.

Q. And were those votings or was that election held on company property?

A. Yes, sir.

Q. Would you be able to identify a notice of the first election, that is Respondent's Exhibit No. 52 that I hand you? If you do you can say so, if not, say so. That is the bulletin board nctice?

A. Yes, this is the notice that was posted on the various bulletin boards throughout the plant at the time of the first annual election.

Q. And that is Respondent's Exhibit 52? Now, for the first election, how were the nominations conducted?

A. Nominations for the first election, there was an out-lay of a plan given to the employees in a pamphlet form, explaining the representative plan and how they could choose whom they wished to, and vote to nominate any man they wished in these various voting divisions.

Q. And then how many men were nominated for each office of representative, if you know?

A. In our department there were three nominated, one to be elected.

Q. Were you one of the men who acted as a judge of election or a teller at the first election?

A. No, sir.

Q. You didn't do that?

A. No, sir.

Q. You were just elected?

A. That is all.

Q. Just how were the men elected, after they had been nominated? Elected to the office of Employees Representative under the Plan?

A. The three men receiving the highest number of votes in the nominations, their names was placed on the

ballot and the man receiving the highest number of votes was elected representative of that division.

Q. And you got elected?

A. That is right.

Q. After you were elected, what is the next thing you did, in connection with your being a representative? You were a representative, then, and what is the next thing you did in connection with carrying out this Plan?

A. Immediately after the election there was a meeting called by notifying all of the members that had been elected representatives, and that constituted their first regular meeting, and at that meeting there was officers—that is, the chairman, vice-chairman and secretary was elected.

Q. Were you an officer?

A. No, sir.

Q. But you were a representative?

A. Yes, sir.

Q. How long did you continue to be a representative after you were elected that first time?

A. I have been in the Representative Plan every year since then.

Q. Up until sometime in 1937?

A. Yes, sir.

Q. Right straight through?

A. Yes, sir—Well, no, in 1934 I was—there are two representatives in the open hearth department, in 1934, as the size of the department was too much work for one man.

Q. Were you one of them?

A. No, I was an alternate. I was elected—I was third in the nominations and elections, and the man that was elected, there was Mr. Smith and Mr. Schultz, and he, at a later date, I think it was a matter of a few months, resigned from the office.

Q. Which one, Schultz or Smith?

A. Schultz.

Q. Well, did you then take Schultz's place?

A. I automatically became Representative in the department again.

Q. Throughout the years during which you were elected, and the one year when you succeeded a man elected as his alternate, you have been a representative of this Plan right along?

A. Up until the Wagner Act was declared legal.

Q. Constitutional?

A. Constitutional.

Q. Now, did you hear Mr. Grimm testify?

A. Yes, sir.

Q. Were you in the courtroom when he testified?

A. Yes, sir.

MR. DAY: Now, if the Court please, I don't know whether this a regular method of examination, but it might shorten things up, but I thought it might—

TRIAL EXAMINER LINDSAY: It is cross examination of your own witness.

MR. DAY: I thought I might save time, if I asked him.

TRIAL EXAMINER LINDSAY: Well, so far there is no objection.

Q. (By Mr. Day) Generally, Mr. Walsh, did the Plan operate after you became connected with it, insofar as you know, in the manner described by Mr. Grimm?

A. Yes.

Q. Now, please understand, I am simply understanding you insofar as you know, and I am asking it generally?

A. As far as I know, the testimony that Mr. Grimm gave is substantially correct.

Q. And insofar as you participated in the Plan?

A. That is right.

MR. DAY: I think that is all.

MR. LAUTER: I think that is all.

(Witness excused.)

MR. DAY: Oh, yes, may I recall Mr. Grimm just a minute? Is he here? That is all with Mr. Walsh.

HARRY E. GRIMM

a witness was recalled, and, having been previously duly sworn, was examined and testified as follows:

MR. DAY: Will you mark that our next exhibit?

(The document above referred to was marked as Respondent's Exhibit No. 58 for identification.)

Direct Examination

Q. (By Mr. Day) Mr. Grimm, I will hand you a paper that is marked for identification Respondent's Exhibit No. 58, and ask you if you recognize that as being some paper that was used in the conduct of the plan and the operation of the plan?

A. That was the form we used for filing complaints of the employee.

Q. And is that the kind of a paper that you had in mind when you stated sometime earlier this morning that your form was not the same as the ones I showed you?

A. Yes, sir, that is correct. That is right.

MR. DAY: Now, I would like to offer this Respondent's Exhibit 58 in evidence.

(Discussion off the record.)

MR. DAY: We offer in evidence Respondent's Exhibit 58.

MR. LAUTER: No objection.

TRIAL EXAMINER LINDSAY: Respondent's Exhibit 58 is received in evidence.

(The document previously marked for identification as Respondent's Exhibit 58 was received in evidence.)

MR. DAY: That is all, Mr. Grimm. Thank you.
(Witness excused.)

MELVIN A. KIEFFER

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Day) Will you state your name, please?
A. Melvin A. Kieffer.
Q. Melvin A. Kieffer?
A. Yes, sir.
Q. Did you spell your last name for the Reporter?
A. Yes, sir.
Q. Where do you live?
A. Rocky River.
Q. Where do you work?
A. 12-inch mill, Republic Steel Corporation.
Q. What plant is that?
A. Corrigan-McKinney.
Q. Corrigan-McKinney?
A. Yes.
Q. Did you work there at the time the strike was called in May?
A. Yes, sir.
Q. State whether or not you wished to go out on strike.
A. I didn't.

MR. LAUTER: I object to the question on the ground that it is incompetent, irrelevant and immaterial and ask that the answer be stricken from the record.

TRIAL EXAMINER LINDSAY: Objection overruled. Let the record show an exception.

MR. LAUTER: Exception.

MR. DAY: That is all.

MR. LAUTER: No cross-examination.

(Witness excused.)

RICHARD J. POWELL

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Day) Will you state your name, please?

A. Richard J. Powell.

MR. DAY: May I recall Mr. Kieffer for just one more question?

TRIAL EXAMINER LINDSAY: Yes.

MELVIN A. KIEFFER

a witness being recalled by and on behalf of the Respondent, having been heretofore duly sworn, was examined and testified further as follows:

Direct Examination (Continued)

Q. (By Mr. Day) State whether or not after the strike was called you wished to continue to work at the plant.

A. I wished to continue—

MR. LAUTER: I object on the ground that it is incompetent, irrelevant and immaterial and ask that the answer be stricken out.

TRIAL EXAMINER LINDSAY: Objection sustained. I don't think it is material.

THE WITNESS: I wished to continue to work.

MR. DAY: That is all. Exception.
MR. LAUTER: No cross-examination.

RICHARD J. POWELL

a witness called by and on behalf of the Respondent, resumed the stand and testified further as follows:

Direct Examination

Q. (By Mr. Day) Where do you live, Mr. Powell?

A. 9316 Ramona Boulevard, Cleveland, Ohio.

Q. What is your occupation?

A. I am a rougher on the 12-inch mill in the Corrigan plant of the Republic Steel.

Q. How long have you worked for the Republic Steel Corporation?

A. A little over 10 years.

Q. Were you working there when the strike was called last May?

A. Yes, sir.

Q. State whether or not you wished to go out on strike?

A. I didn't.

MR. LAUTER: I object to the question on the ground that it is incompetent, irrelevant and immaterial and ask that the answer be stricken from the record.

TRIAL EXAMINER LINDSAY: I think it is immaterial. I will overrule the objection. Let the record show an exception.

MR. LAUTER: Exception.

Q. State whether or not you wished to continue at work after the strike was called.

A. I did.

MR. LAUTER: I object on the ground that it is incompetent, irrelevant and immaterial.

At this time, if it please, Mr. Trial Examiner, I understand that Mr. Luther Day, counsel for the Respondent Company, intends to call a number of employees from the Corrigan-McKinney plant and to put to them exactly the same questions as was asked the witness before this one and this witness. I want to object to it on the ground that it is incompetent, irrelevant and immaterial, outside of the scope of the issues in this case, and that such testimony would tend to be cumulative if those witnesses were put on the stand; and since at Youngstown and at Canton questions were asked of witnesses similar in nature to the questions that are now being put to these witnesses—I want to incorporate at this time my objections and my motions which I addressed to the questions at this time, and to the questions which are now being put to the witnesses who are on the stand and more witnesses whom Mr. Day intends to call.

TRIAL EXAMINER LINDSAY: Does this last objection include all of the reasons you stated at Youngstown and at Canton on this same subject matter?

MR. LAUTER: It includes all the reasons, and I reassert all the motions and objections that I have already stated and am stating today.

TRIAL EXAMINER LINDSAY: May I ask, Mr. Day, how many witnesses you intend to call?

MR. DAY: At this time the Respondent advises the Court that there are, according to our present information which may be corrected and changed later, when checked, employees of the Respondent Company at this plant in Cleveland whom the Respondent now seeks to call as witnesses, and to whom the Respondent

desires to propound questions heretofore propounded by the Respondent to the witnesses who have already testified, and such other questions as may be necessary in individual cases to elicit the facts in connection with the conduct of these witnesses in the matters heretofore involved.

TRIAL EXAMINER LINDSAY: I will sustain the objection based on the same reasons as I sustained similar objections on similar proposed testimony at Canton and at Youngstown, and the rulings stated at each of the above specified places are the same rulings that are now made as to the same type of evidence proposed to be submitted at Cleveland.

MR. DAY: May we have an exception?

TRIAL EXAMINER LINDSAY: Yes.

MR. DAY: As already indicated, the Respondent now seeks to call at this hearing a large number of witnesses and employees of the Respondent Company at this plant in Cleveland and to propound to said witnesses and each of them the questions heretofore propounded by the Respondent to the witnesses who have already testified and such other questions as may be necessary in individual cases to elicit the facts in connection with the conduct of these witnesses in the matters hereinbefore noted. The Respondent represents to the Trial Examiner and offers to prove that each and all of these witnesses did not wish to go out on a strike but did wish to continue at work at the Cleveland plant of the Respondent.

The Respondent believes and represents to the Court that each and all of these witnesses would so testify if permitted by the Trial Examiner.

The Respondent in connection with its offer of the evidence of these witnesses states that such evidence is admissible, relevant, competent and material under the

issues presented by the complaint and answer in this case and the evidence introduced by the Labor Board, and that the Respondent has the right and should have the opportunity to offer this evidence as a part of its defense under the express provisions of the National Labor Relations Act.

The Respondent also believes that this evidence is not cumulative in character and subject to objection upon that ground.

MR. LAUTER: I merely wish to reassert and renew the reasons for my objections and motions to the objections and motions which I have made previously today and at Youngstown and Canton with respect to this type of testimony that is now being sought to be offered by the Respondent.

TRIAL EXAMINER LINDSAY: The objection is sustained. Let the record show an exception.

MR. DAY: Exception. I think that is all the witnesses we have available this morning, your Honor.

TRIAL EXAMINER LINDSAY: We will adjourn until 9:30 Monday morning and I want all the witnesses in here so that we can go right through with this.

(Whereupon, at 11:40 o'clock a. m. September 25, 1937, an adjournment was taken to 9:30 o'clock a. m. September 27, 1937.)

Courtroom 3, Common Pleas Court
Cuyahoga County, Cleveland, Ohio
Monday, September 27, 1937.

The above-entitled matter came on for hearing, pursuant to adjournment, at 9:30 o'clock a. m.

Before:

John T. Lindsay, Trial Examiner.

Appearances:

Mark Lauter, Esq., and Joseph A. Hoskins, Esq., appearing for the National Labor Relations Board.

Luther Day, Esq., Thomas F. Veach, Esq., and Arno G. Erdrich, Esq., of the firm of Messrs. Day, Veach & Young, Union Trust Building, Cleveland, Ohio.

Judge Chas. F. Smith, Harry Manchester, Esq., and David E. Jones, Esq., of the firm of Messrs. Harrington, Huxley & Smith, 1200 Mahoning Bank Building, Youngstown, Ohio.

PROCEEDINGS

PAUL EHRET

a witness called by and on behalf of the Respondent, having been first duly sworn, was examined and testified as follows:

Direct Examination

Q. (By Mr. Day) Will you state your name, please?

A. Paul Ehret.

Q. What is your business?

A. I am assistant superintendent of the Western Union Telegraph Company in Cleveland.

Q. And have you charge of their offices here?

A. Not direct charge, Mr. Day. I act as assistant.

Q. Assistant; yes, sir. I will ask you whether or not you have a copy of a telegram dated May 3, 1937, to T. M. Girdler, president of Republic Steel Corporation, sent by Clinton S. Golden, regional director Steel Workers Organizing Committee, Grant Building, Pittsburgh, Pa.?

A. I have.

Q. Will you let me have it, please?

A. Yes, sir.

Q. Now, is that the telegram that was received by your office?

A. It is the telegram that was received by our office in Cleveland.

Q. And to your knowledge?

A. Yes, sir.

Q. State whether or not it was delivered to Republic Steel Corporation?

A. It was delivered to the Republic Steel Corporation at 1:38 p. m. as our No. 84, to them.

Q. On what date?

A. May 3rd.

Q. 1937?

A. 1937.

Q. And sent from where?

A. It was originated in Pittsburgh, Pa. It was sent from our Cleveland office on a direct wire to the office of the Republic Steel Corporation here.

MR. DAY: Will you mark that for identification, please, Respondent's Exhibit 59. Also mark these next two as Respondent's Exhibits 60 and 61.

(The documents above referred to were marked as Respondent's Exhibits Nos. 59, 60, and 61, for identification.)

Q. (By Mr. Day) As I understand you, with relation to that telegram, Respondent's Exhibit 59, you testified that it was sent from Pittsburgh through the Western Union Telegraph, received at your office and delivered by Western Union Telegraph to Republic Steel Corporation, to whom it is addressed, is that right?

A. That is right.

Q. And on the date mentioned in your testimony?

A. Yes, sir.

Q. Now, I hand you Respondent's Exhibit 60 and ask you whether or not you can identify that?

A. I identified it as a telegram of May 3, 1937, addressed to Clinton S. Golden, regional director Steel Workers Organizing Committee, 3600 Grant Building, Pittsburgh, Pennsylvania, signed by J. A. Voss, director of industrial relations, Republic Steel Corporation.

Q. I ask you whether or not, to your own knowledge, that telegram was sent through your office?

A. It was sent through our office on a direct wire to Pittsburgh, Pennsylvania, at 12:08 p. m. on May 5, 1937, as No. 314 on that wire.

Q. I ask you whether or not it was delivered in Pittsburgh to the person to whom it is addressed?

A. Yes, I know it was, because an answer is in the files to that effect.

Q. The date is what, on this?

A. This is dated May 5th.

Q. May 5th? I understand you testify that this telegram was sent by your office from Cleveland and delivered in Pittsburgh?

A. That is right.

Q. That is Respondent's Exhibit No. 60. Now, I hand you a paper marked Respondent's Exhibit 61 and ask you what that is?

A. This is a receipted telegram from Pittsburgh, Pennsylvania, dated May 6th, 1937, addressed to J. A. Voss, director of industrial relations, Republic Steel Corporation in Cleveland, and signed by Clinton S. Golden.

Q. I will ask you whether or not, to your knowledge, that was received by your office in Cleveland from Pittsburgh and delivered to J. A. Voss?

A. It was. It was delivered to them at 10:20 a. m. as our No. 64 on May 6th, 1937.

Q. With relation to Exhibit 60 you testified about an

answer being made to that; I call your attention to "Wire Fifth received". Was that referring to No. 60, dated the 5th?

A. Yes, that refers to that message.

Q. Now, I understand you testify that Exhibits 59, 60, and 61, were sent through your office duly received and duly delivered, is that right?

A. That is right.

MR. DAY: I want to offer in evidence Respondent's Exhibits 59, 60, and 61.

MR. LAUTER: Object on the ground it is incompetent, irrelevant and immaterial.

TRIAL EXAMINER LINDSAY: May I see it, please?

MR. DAY: If the Court has any doubt, I would like to state why I think it is admissible.

(Respondent's Exhibits 59, 60 and 61 for identification were handed to Trial Examiner Lindsay.)

MR. DAY: Has your Honor got them in order?

TRIAL EXAMINER LINDSAY: Yes. They really are not material but I will overrule the objection and let the record show an exception. Respondent's Exhibits 59, 60 and 61 received in evidence.

(Thereupon the documents heretofore marked "Respondent's Exhibits 59, 60 and 61" were received in evidence.)

MR. DAY: That is all, unless you care to cross-examine. Do you want to cross-examine?

MR. LAUTER: No.

MR. DAY: That is all. Thank you very much.

(Witness excused.)

MR. DAY: Mr. Ehret, you can take those.

MR. SMITH: You have no objection to photostats? He probably wants to compare them.

MR. DAY: These are his own papers, Mr. Examiner.

TRIAL EXAMINER LINDSAY: Yes, I understand. They must be returned to his office. You may substitute photostatic copies.

MR. DAY: If the Court please, the Respondent now produces from the papers which counsel has a letter from Clinton S. Golden to Republic, dated March 30, and a contract marked Exhibits 62 and 63 respectively, as being the papers to which reference is made in these telegrams and offers them in evidence along with these telegrams.

(Thereupon the documents above referred to were marked Respondent's Exhibits 62 and 63 for identification.)

MR. LAUTER: Object on the ground they are incompetent, irrelevant and immaterial.

TRIAL EXAMINER LINDSAY: Well, in the first place, you don't mean contract.

MR. DAY: No, it is not contract. It is a proposed—it is whatever it is designated, simply say that the document marked 63 is offered in evidence.

TRIAL EXAMINER LINDSAY: Objection overruled. While I think they are not material, I will admit them.

(Thereupon the documents heretofore marked "Respondent's Exhibits 62 and 63" were received in evidence.)

MR. LAUTER: Exception, please.

TRIAL EXAMINER LINDSAY: Let the record show an exception. Let the record also show that that is not a contract, that is, Exhibit 63.

MR. DAY: Yes. May we have a second to confer with our associates because we are getting near the close of our case?

TRIAL EXAMINER LINDSAY: Certainly.

MR. DAY: At this time the Respondent asks permission to call to the witness stand a witness to testify as to acts of violence and unlawful conduct upon the part of pickets, strikers, and C. I. O. members in the Cleveland district, similar to those sought to be testified to by Captain Richmond at Youngstown, and described in the offer to prove for Youngstown, Warren, and Niles districts heretofore presented to the Court.

Counsel for Respondent at this time says that he believes that this evidence is relevant, admissible, and competent under the issues, for the reasons stated to the Trial Examiner in connection with similar Youngstown, Warren, and Niles testimony, at the hearing in Youngstown; but also believes that it is within the ruling made by the Trial Examiner at Youngstown with relation to that kind and character of testimony.

TRIAL EXAMINER LINDSAY: In that last statement you mean that the ruling I made at Youngstown excludes you from offering that type of testimony here? The same type of testimony here in Cleveland.

MR. DAY: From having it received, yes. In other words, to explain it, I think that the ruling made at Youngstown by the Court as to certain Youngstown, Niles, and Warren, evidence, if made here and now as to Cleveland, would exclude this testimony.

TRIAL EXAMINER LINDSAY: Well, I can see no reason for the necessity of calling a witness or witnesses. We, at Youngstown, excluded the type of testimony which you have just requested that you be permitted to produce, and at that time I gave you the privilege of filing an offer of proof. The calling of other witnesses on the same ma-

terial would be in violation of that order and my ruling which was made at Youngstown.

MR. DAY: Well, may the Respondent note an exception to the action of the Trial Examiner in not receiving, as competent, relevant, and admissible, the evidence in question here?

TRIAL EXAMINER LINDSAY: Yes.

MR. DAY: May we also at this time ask permission of the Trial Examiner to place on the stand, one at a time, the witnesses who will testify upon this subject, to question them one at a time, and to make separate and distinct offers of proof as to each one of them?

TRIAL EXAMINER LINDSAY: How many such witnesses have you, Mr. Day?

MR. DAY: How many would you say, Mr. Manchester? Approximately 200.

TRIAL EXAMINER LINDSAY: That request is denied because it would serve no purpose other than taking up a great deal of time. The general offer of proof covers the same facts, as I understand it; the same proposed facts.

MR. DAY: The same, yes.

TRIAL EXAMINER LINDSAY: And that would be nothing more than causing an unnecessary delay, with no result to be gained.

MR. DAY: And may we have an exception to the refusal of the Trial Examiner to permit us to put our witnesses on one at a time, question them one at a time, and make separate offers to prove as to each one of them?

Now, reserving all our exceptions, we present to the Court Respondent's offer to prove upon this subject, with regard to the Cleveland district, and ask leave to have it marked as an exhibit, as we did the Youngstown offer.

MR. JONES: Have you introduced the Youngstown offer?

MR. DAY: I handed the Youngstown offer to the Trial

Examiner. I do not think it is necessary to repeat, that we have an exception to the refusal of the Court to permit the evidence offered in both Youngstown and Cleveland offers.

MR. LAUTER: I will at this time reserve the right to make motions and objections to the offer of proof in respect to Cleveland.

TRIAL EXAMINER LINDSAY: Yes, you will be given time to—counsel for the Board will be given time to go over the offer of proof on Youngstown and the offer of proof on Cleveland; and I will reserve the ruling.

(The documents above referred to were marked as Respondent's Exhibits No. 64, 65, 66, for identification.)

TRIAL EXAMINER LINDSAY: Are those newspaper articles, Mr. Day?

MR. DAY: Not articles, no. May I state what they are? This is the Governor's proclamation in the newspaper. I want to make a statement in relation to getting certified copies, if it is necessary. At this time, I make the statement to the Trial Examiner that the Cleveland Plain Dealer is a newspaper of general circulation in the City of Cleveland and vicinity, perhaps elsewhere, and I offer in evidence what is marked for identification as a text of the statement and formal proclamation of Governor Davey of Ohio, June 22nd, 1937, with relation to calling out troops and other matters mentioned therein, and also Respondent's Exhibit 66 for identification, a letter to General Marx from Governor Davey on the same subject published in the Plain Dealer, June 25, 1937, and we now state to the Trial Examiner that if there is any objection to these documents upon the ground that they appear in newspapers, we will, at the very earliest possible moment, bring in certified copies on whatever is necessary to authenticate the documents.

MR. LAUTER: Object on the grounds they are incompetent, irrelevant and immaterial, and on the further

ground that they are newspaper articles.

MR. DAY: It is not an article.

MR. LAUTER: Newspaper items, change articles to items.

MR. DAY: All right.

TRIAL EXAMINER LINDSAY: I will sustain the objection and let the record shown an exception.

MR. DAY: Well, in order to clear up the record, is the objection sustained at all upon the ground they are newspaper items or on the ground they are incompetent?

TRIAL EXAMINER LINDSAY: Not material, incompetent, and second, it is a newspaper article.

MR. DAY: Judge Smith called my attention that 66 should be limited to where it says: "In a letter to General Marx, Governor Davey said," instead of all this (indicating). I will strike all that out.

TRIAL EXAMINER LINDSAY: Well, I do not think it is material.

MR. DAY: Mr. Lauter, in view of the fact that the Trial Examiner has held these are not relevant and material, do yo still insist upon your objection that they are items appearing in a newspaper?

TRIAL EXAMINER LINDSAY: I stated both reasons.

MR. DAY: If that is true, then we would like to substitute for the record certified copies.

TRIAL EXAMINER LINDSAY: The question is not now before the Court. I will have to see those copies, certified copies of the original.

MR. DAY: We will bring those in. I understand now that the Trial Examiner sustains an objection to both 65 and 66 on the ground, first, they are incompetent items of evidence and if authenticated, they are not admissible, not being relevant and material.

TRIAL EXAMINER LINDSAY: Well, I did not say

that. I just got through saying, Mr. Day, that I am not going to pass upon a document until I see that document and I said as far as those two copies are concerned, they are ruled out.

MR. DAY: Are they ruled out because they are newspaper items?

TRIAL EXAMINER LINDSAY: Ruled out because they are newspaper articles and because they are incompetent, irrelevant and immaterial. That should be plain enough.

MR. DAY: That is plain enough. I am now saying to the Trial Examiner that just as soon as I can I will bring in copies and present them to the Trial Examiner in lieu of the newspaper articles.

TRIAL EXAMINER LINDSAY: And when you do, I will make a ruling on them.

MR. DAY: This is off the record.

TRIAL EXAMINER LINDSAY: You may have a 15-minute recess.

(Thereupon a recess was had.)

TRIAL EXAMINER LINDSAY: The hearing is called to order.

MR. DAY: If the Court please, you will remember that at Youngstown we had some approximate figures as to the number of employees, in certain respects.

TRIAL EXAMINER LINDSAY: Well, those certain respects are pertaining to the questions to be propounded to those witnesses on a question of Back-to-Work petitions and so forth?

MR. DAY: Yes, sir, how they came to sign the Back-to-Work petition, how they came to sign application cards for the Union, and whether they wanted to go out on a strike.

TRIAL EXAMINER LINDSAY: Yes. Those were the form questions?

MR. DAY: That is right.

TRIAL EXAMINER LINDSAY: That, there has been a ruling on.

MR. DAY: Now, on page 4999 of the record, where we say "The Respondent represents to the Trial Examiner and offers to prove that these witnesses"—that ought to be, there, 2900 witnesses—"each and all signed the Back-to-Work Petitions"—that is at the Youngstown plant, and approximately 1900 of Respondent's employees signed application cards for membership in the Independent Federation of Republic Employees at Youngstown.

Now, there are numerous other places in the record that Mr. Jones has marked, and if we may have those figures inserted with relation to Youngstown witnesses in this regard, I won't take time to refer to the various pages.

MR. LAUTER: I think we ought to have the pages, so we will be clear on the cross references.

MR. DAY: Pages 4999; the next page is 5009, we say, "At this time the Respondent advises the Court that there are a large number of Respondent's employees in the Warren and Niles district," we would like to state, there, where it says "a large number" we would like to make it this way: "At this time the Respondent advises the Court that approximately 2000 of Respondent's employees—employees of the Respondent Company in the Warren and Niles district," and so forth.

On Page 5011 we say: "As to the Warren and Niles district witnesses, as to the witnesses who have testified and whose evidence has been in part excluded, the Respondent represents to the Trial Court and offers to prove that these witnesses,"—and approximately 1800 witnesses —"each and all signed the application cards for membership in the Independent—Employees Independent Association" and so forth. And that approximately 2000 of these

witnesses did not wish to go on strike when the strike was called.

Page 5012: "And the Respondent represents to the Trial Examiner and offers to prove that" and then insert "approximately 2000 of these witnesses"—did not want to go on a strike at the plants in the Warren and Niles district, and approximately 1800 signed application cards for membership in the Employees Independent Association of their own free will" and so forth.

MR. DAY: On Page 5559 of the transcript of September 25th, where it says, pretty well down near the end of the second paragraph: "The Respondent represents to the Trial Examiner and offers to prove that" insert "2500 of these witnesses did not wish to go on a strike but did wish to continue at work at the Cleveland plants of the Respondent." Now, if necessary to make these insertions accurate, we would like to have leave to take up with the stenographer and with counsel for the Labor Board, but those are the figures.

MR. LAUTER: Oh, I think the record is complete on that, as it now stands.

TRIAL EXAMINER LINDSAY: I think it is.

MR. DAY: I think it is. All right.

Mr. Jones advises me that he has prepared separate written offers to prove in connection with the testimony of certain witnesses at the Youngstown hearing pursuant to the statement of the Trial Examiner that written offers be prepared and submitted, so we have had marked for identification Respondent's Exhibits 67 and 68.

TRIAL EXAMINER LINDSAY: Which ones are you talking about? Are those not covered in the original offer of proof?

MR. SMITH: That was Dr. Thomas, your Honor.

TRIAL EXAMINER LINDSAY: You misunderstood that ruling. That ruling was that you may include that in your general offer of proof.

MR. SMITH: Yes.

TRIAL EXAMINER LINDSAY: You asked me the direct question, if you may include that in your general offer of proof, and I told you that you may.

MR. DAY: Then it will not be necessary to present any separate offers in connection with these witnesses. All right. Now I think that is all of the evidence that the Respondent desires to offer except at this time we call the Trial Examiner's attention to the fact that there are requests for subpoenas filed for the witnesses Golden and Lind, concerning which no action has been taken, and we would not like to close our case formally without the right to call those witnesses, if we so desire.

TRIAL EXAMINER LINDSAY: Mr. Lauter.

MR. LAUTER: Well, I submit to the Trial Examiner that when we finish here the case for the Respondent be closed. The fact that applications have been made for subpoenas would be no reason for extending the hearing beyond this date.

TRIAL EXAMINER LINDSAY: Well, I only call your attention to Section 21 of Rules and Regulations of the Board in respect to applications for subpoenas. Now I am talking of the last two, that would be Golden and Lind, "such applications shall be timely and shall specify the names of the witnesses," and so forth. The last subpoena was given to me, I believe, Saturday or Friday and the other one, Thursday of last week. The subpoenas, no doubt, reached Washington on Saturday morning or on Monday. I think those subpoenas are not meeting the requirements of the rules and regulations. Now on the other subpoenas, may I have a copy of those? May I have a copy of your application?

MR. DAY: May I make a statement with relation to the Golden and Lind requests for subpoenas? I think the Golden request was submitted Thursday.

TRIAL EXAMINER LINDSAY: Well, I did not say anything different than that. I said I believed that one Golden request was submitted on Thursday.

MR. DAY: At the time we submitted the Lind application, we also handed to the Trial Examiner the form of a telegram that we wanted to send to the Labor Board with the application for subpoena.

TRIAL EXAMINER LINDSAY: And I said that was not necessary.

MR. DAY: And you said that was not necessary. We think, under the circumstances, we have been diligent in relation to these two subpoenas and if the requests for subpoenas are each and both denied, then we would like to make whatever showing is necessary before the Trial Examiner just as soon as possible, setting forth our objections and the reasons why we object to not having those subpoenas issued.

TRIAL EXAMINER LINDSAY: That will have to be handled in some other way. I will not hold the case open for that specific reason. However, before I pass on all of the subpoenas or any of the subpoenas conclusively, I ask for the copy of your original application on those four filed, which were submitted down at Youngstown.

MR. DAY: Well, we have them.

TRIAL EXAMINER LINDSAY: Let the record show that I have not definitely ruled as yet.

I might also state that the application on Golden and Lind for subpoenas for their appearance is also overruled generally. They do not meet the requirements of the rules and regulations.

MR. DAY: But I understand that the Trial Examiner is not definitely passing on the matter of subpoenas at this time?

TRIAL EXAMINER LINDSAY: That is right, until I see that copy.

MR. DAY: While he is looking at that, may I make a statement as to these other offers to prove, Exhibits 67 and 68? Will your Honor look at them and see what they are? They are prepared by Mr. Jones.

TRIAL EXAMINER LINDSAY: Well, we have already closed that matter, Mr. Day.

MR. DAY: In other words, the holding is, it is not necessary to submit the offers to prove?

TRIAL EXAMINER LINDSAY: You already agreed on that.

MR. DAY: You see, I wasn't in Youngstown when some of these things happened. It was the day I was at Columbus—this Gillen's testimony and Dr. Thomas'.

TRIAL EXAMINER LINDSAY: The definite answer that I gave Mr. Jones in response to Mr. Jones' own question that he would like to include in the general offer of proof was that was agreeable at that time.

MR. DAY: All right. This is off the record.

(Discussion had off the record.)

TRIAL EXAMINER LINDSAY: As I understand it then, the National Guard asked that you subpoena them?

MR. JONES: They made that request: Pursuant to their request, I filed the application for the subpoenas for them with the Trial Examiner.

TRIAL EXAMINER LINDSAY: Yes. And those are the witnesses who, if subpoenaed, and if brought to testify, would testify on questions of violence?

MR. JONES: Yes.

TRIAL EXAMINER LINDSAY: Which came within the ruling of the Trial Examiner on that particular issue, is that right?

MR. JONES: That is correct. And in addition, I would like to say that one of those witnesses was called to the stand to testify in part in Youngstown. He did not desire to be placed on the stand unless he were subpoenaed,

but, as he was present and as we did not have any other witness available, upon my promise to him that he would be handed a subpoena on that same day, he went on the stand, and that was Captain Joseph Parilla.

TRIAL EXAMINER LINDSAY: Then therefore, the result is that as far as those particular subpoenas are concerned, it is the desire of counsel representing the Respondent to hold the hearing open?

MR. JONES: My only desire is to keep faith with these men whom I promised to subpoena.

TRIAL EXAMINER LINDSAY: Well, answer my question first, and then we will go into that. Then as far as those witnesses are concerned, who have been subpoenaed but whose subpoenas have not been delivered as yet, it is not your desire to keep the hearing open for that particular purpose because of the fact that their proposed testimony is covered in the general offer of proof?

MR. JONES: That is correct. I would like to add to this, that I am pursuing this matter because I desire, if possible to keep faith with those men I told I would deliver the subpoenas to.

TRIAL EXAMINER LINDSAY: That is your only purpose for wanting the subpoena served?

MR. JONES: Yes.

TRIAL EXAMINER LINDSAY: Now then, the only question we have left and the only purpose for which the hearing would be kept open, is pertaining to subpoenas, for which application has been made, as to Golden and Lind. Is that right, Mr. Day?

MR. JONES: Just a second before you answer that.

MR. DAY: What was the last question?

TRIAL EXAMINER LINDSAY: Let us finish one thing at a time, please.

(Statement of Trial Examiner Lindsay read by the Reporter.)

MR. DAY: That is right, but—

TRIAL EXAMINER LINDSAY: Now, we will get to the next thing.

MR. DAY: That is right.

TRIAL EXAMINER LINDSAY: One at a time.

MR. DAY: As far as the subpoenas are concerned, that is right. Now, my associate counsel has called my attention to an offer to prove by the witness Quinlan to the effect that an indictment was returned against a man named Chismus.

MR. LAUTER: If you please, Mr. Examiner, that is the same document that has been offered several times. It is the same Valare Chismus about which there has been several attempts to get in this record statements of this kind.

TRIAL EXAMINER LINDSAY: Yes, as a matter of fact, Mr. Day, that was all taken care of, as far as he is concerned, down at Youngstown.

MR. DAY: Well, may we present this and have it denied and save our exceptions, so as to get it into the record?

TRIAL EXAMINER LINDSAY: Well, you already have all of that in your general offer to prove.

MR. DAY: I do not think anything with relation to Chismus is in the general offer to prove.

MR. MANCHESTER: No, Mr. Trial Examiner, there is nothing in the offer to prove.

TRIAL EXAMINER LINDSAY: Well, my instructions were that all of them were to be included in the general offer of proof. The next fact is that on that particular day that was entirely ruled out.

MR. DAY: I should think the easiest way would be if we offered it and deny it and we will note an exception.

TRIAL EXAMINER LINDSAY: May I see it?

MR. DAY: That might be the most expeditious way, after all, to save time.

TRIAL EXAMINER LINDSAY: No, it is not necessary to go into that at all. Now, at that time if—The only ruling I made there on that particular matter was that that type of evidence was not admissible and there had been no conviction. It is merely an indictment. Any evidence that you brought in pertaining to this particular individual was not excluded, it is just that particular record and I can see no reason for now going into the question again. As far as Youngstown is concerned, we closed that, here, the other day, and that was absolutely closed and I asked you the question if you had anything further to offer, after you had offered your general offer to prove, and you said that you did not, and we are not going to reopen the Younsgtown case for this specific purpose.

Now, on the question of subpoenas for Lind and Golden, I will state as I just previously stated, that the application for subpoenas in those two cases are not timely and further that they were too general.

Now, the application for the subpoena for Mr. Golden was handed to me on Thursday and immediately I transmitted it by mail to the Board. The Board, no doubt, received that on Friday just past. The application for subpoena for Lind was received on Friday and no doubt the Board received that application on Saturday, which was Saturday just past. Therefore, the Board has not had an opportunity to pass on those two applications for subpoenas.

The Trial Examiner has had no knowledge as to what steps has or will be taken by the Board relating to those two applications for subpoenas, and not in any way wishing to deprive the respondent company of any privileges which it may feel it has, if the Board does issue the above mentioned two subpoenaes for which application has been made

by Respondent company, then the Respondent company by its counsel may make application to the Board within two days from the date upon which the subpoenas are received by counsel for the Respondent, to have the Board set a date for the taking of the testimony of those two witnesses, and at Washington, D. C., in the offices of the National Labor Relations Board. Now, I think, Mr. Day, that protects you fully.

MR. DAY: If the Board does not honor the request for subpoenas, or issue the subpoenas as requested, when Respondent is so advised, of course, the Respondent then will take whatever steps it considers necessary to protect its rights.

TRIAL EXAMINER LINDSAY: Well, that is entirely up to you.

MR. DAY: Yes.

TRIAL EXAMINER LINDSAY: I have nothing to say about that.

MR. DAY: Of course not.

TRIAL EXAMINER LINDSAY: I am not making any statement.

MR. DAY: I know it, I realize it.

TRIAL EXAMINER LINDSAY: Now, the l aring as I understand it is—

MR. LAUTER: No.

MR. DAY: Just a second. They have something. Mr. Jones makes a suggestion as to the record, where we have inserted the number of witnesses at Youngstown, Warren, and Niles district, and Cleveland, whether it would not be well to re-write those pages?

TRIAL EXAMINER LINDSAY: No, that is all rewritten, anyway. You have it right in this record, and that transcript which is made today is a part of your total transcript of this whole case.

MR. DAY: All right.

TRIAL EXAMINER LINDSAY: So that is not necessary.

MR. DAY: All right.

MR. LAUTER: Do I understand the Respondent rests its case?

TRIAL EXAMINER LINDSAY: Respondent rests its case.

MR. DAY: Rests its case, if upon the—

TRIAL EXAMINER LINDSAY: Well, with those provisions which I stated.

MR. DAY: With provision—

TRIAL EXAMINER LINDSAY: As to those two witnesses.

MR. DAY: As to those subpoenas that you stated were—

TRIAL EXAMINER LINDSAY: In other words, the Respondent now rests its case.

MR. DAY: Yes, with the question of those subpoenas.

TRIAL EXAMINER LINDSAY: Yes.

MR. DAY: Still undecided.

(The documents above referred to were marked as Board's Exhibits Nos. 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, and 127, for identification.)

MR. LAUTER: Now, I assume that at this time counsel for Respondent company will stipulate that Board's Exhibits Nos. 116 to and including Board's Exhibit No. 125 for identification are exhibits prepared by or under the direction of Mr. Pierce L. Boyer, comptroller for the Republic Steel Corporation.

(Discussion held, not made a part of the record.)

MR. LAUTER: I understand there is no objection to the admission of these documents as being prepared by and under the direction of the comptroller of the company, by Respondent counsel?

MR. DAY: No, your Honor, they were so prepared, and there is no objection on that ground. I want to object to them on the ground that they are incompetent, irrelevant, and immaterial, not germane to any issue in this case, and appropriately a part of the Board's case in chief. But on the preparation of them, and Mr. Boyer having prepared them, there is no objection at all on that ground.

TRIAL EXAMINER LINDSAY: Well, now, in other words, you are not in any way taken by surprise on this, Mr. Day?

MR. DAY: No, no.

TRIAL EXAMINER LINDSAY: And aren't making any issue on that particular ground.

MR. DAY: I haven't been taken by surprise. No, sir, we are not taken by surprise, because we talked about that, weeks ago.

TRIAL EXAMINER LINDSAY: We talked about getting this into the record, over at Canton.

MR. DAY: After the Board rested its case. Yes, sir.

TRIAL EXAMINER LINDSAY: Yes.

MR. DAY: We did, shortly after the Board rested its case.

MR. LAUTER: Well, to clear that up, I am going to introduce as Board's Exhibit No. 126 a typewritten statement of request for information from the Respondent company, which I prepared and transmitted to Mr. Day.

MR. DAY: We received that, and if you will fix the date, we will stipulate that it was that day.

MR. LAUTER: That was two weeks ago tomorrow.

MR. DAY: That is right.

TRIAL EXAMINER LINDSAY: Well, Board's Exhibit 116 to and including—

MR. LAUTER: 126.

TRIAL EXAMINER LINDSAY: —126, are received in evidence.

(The documents previously marked for identification as Board's Exhibits 116 to 126, inclusive, are received in evidence.)

MR. DAY: Let me have an exception to the relevancy, competency, and materiality.

TRIAL EXAMINER LINDSAY: That is the only exception?

MR. DAY: Oh, yes, we make no question—we think they are properly a part of the Board's case and there is no objection on the surprise or anything of that kind. That we are not taken by surprise. We had it up two weeks ago or more.

MR. LAUTER: Now, in connection with these documents I would just like to make this statement so that the remaining information that is to be supplied in connection with the request contained in Board's Exhibit 126, be perfectly clear and be a part of the record so that counsel for the Respondent company may have it available to him in instructing the comptroller as to what remaining information is to be obtained:

That in connection with Item No. 1, that information has been furnished.

In connection with Item No. 2 as it appears on Board's Exhibit 126, while there is a total number of the employees of all of the plants in the State of Ohio, it does not meet the requirements of the request because it does not give the total number of employees in each of the six plants set forth in Request No. 2, and I should like to have that information furnished.

With respect to Request No. 3 contained in Board's Exhibit No. 126, certain modifications have been made in our request and as presently supplied to us, they are suffi-

cient, except for the fact that no information has been furnished with respect to Item 3 (A) namely, the names of transportation instrumentalities handling the above shipments and the percentage, by value, and by carloadings transported by each. No information has been given with respect to No. 4, and with respect to No. 5 there is one sample of the information to be furnished to us which has been handed to me and introduced in evidence, that does not meet the requirements of the request in Board's Exhibit No. 126, and the comptroller of the company has agreed to amplify that statement which will contain a list of all of the steel and steel products which were shipped out of the six plants by value and by tonnage for the year 1936 and the other respects as requested by the Board's Exhibit No. 126.

There is also required the furnishing of information under 5 (A) of Board's Exhibit No. 126, and the comptroller has agreed to furnish that information, also.

With respect to Item No. 6 contained on Board's Exhibit No. 126, the respondent has replied by furnishing what has been introduced as Board's Exhibit No. 125.

Now, I should like to state for the record that during conversation I had with the comptroller of the company I was advised that this information—that is, the balance of the information which was requested by Board's Exhibit No. 126 will be available and sent to the Board within the next few days. For the record, may I state that I should like to have that information within five days, and if that information is not furnished within five days that I reserve the right to hold further hearings in Washington with respect to this material.

I am specifically leaving the record open with respect to the material referred to, to be furnished by the company as required by Board's Exhibit 126.

Now, at this time I should like to offer in evidence Board's Exhibit No. 127, a copy of the supplementary charge with respect to Canton.

MR. LAUTER: The reason for including it at this time is that I have tried to find, and haven't been able until this time, the original of that copy. Now, I also ask leave at the time of the introduction of this document, that as soon as the original is found, that it may be substituted for the copy which I now offer.

TRIAL EXAMINER LINDSAY: Yes, you may do that.

MR. LAUTER: And I request that Board's Exhibit No. 127 be made a part of Board's Exhibit No. 1, where it properly belongs.

MR. DAY: May we take a look at this?

MR. LAUTER: Yes.

TRIAL EXAMINER LINDSAY: This is off the record.

(Discussion held off the record.)

TRIAL EXAMINER LINDSAY: Well, there is no objection?

MR. DAY: No, I do not think so.

TRIAL EXAMINER LINDSAY: Board's Exhibit No. 127 is received in evidence.

(The document previously marked for identification as Board's Exhibit No. 127 is received in evidence.)

MR. DAY: Now, as I understand it, that is something that was filed with the Labor Board?

MR. LAUTER: That is correct.

MR. DAY: The 14th of July, before the complaint was filed?

MR. LAUTER: That is correct.

MR. DAY: All right.

MR. LAUTER: Now, I should like to state for the record, before we rest our case, that the Fidelity and Casualty Company of New York, although subpoenaed, has failed to appear. I thought that the hearing would continue at least until tomorrow and I mailed—I served a telegram on them advising them to furnish us with material to be put into the record tomorrow. Mr. Day, will you step up?

MR. DAY: Did you have subpoena issued?

MR. LAUTER: Yes, the subpoena was issued a long time ago. I have had it noted in the record numerous times, regarding bonds. How shall we arrange for it?

MR. DAY: Well, I haven't anything to say about it.

TRIAL EXAMINER LINDSAY: This is off the record for the time being.

(Discussion held off the record.)

MR. LAUTER: At this time I should like to reserve the right to put in documentary material furnished pursuant to duces tecum subpoena, if it is furnished at all, by the Fidelity Company of New York, in Washington, as soon as this material is furnished to us.

TRIAL EXAMINER LINDSAY: The privilege of filing the data under the subpoena duces tecum is granted, and you may file it at Washington. The same privilege is given to you as was given to Mr. Day. Now, the same applies to your request for added information on the data which you have offered some testimony this morning—or in evidence as exhibits, and my understanding is that the company has agreed to supply certain information, and that should be furnished within a period of five days, and if not furnished, the counsel for the Board will have the right to have that produced at Washington; and for that particular purpose and the particular purpose granted to the Respondent, the case is held open for those purposes alone. So otherwise, the hearing is closed.

MR. LAUTER: If you please, Mr. Examiner, before

we close, I would like to make the usual motion to conform the pleadings to the proof.

TRIAL EXAMINER LINDSAY: And that motion is granted. Now, the hearing is closed with those reservations.

(Whereupon, at 11:45 o'clock a. m. September 27, 1937, the hearing in the above-entitled case was closed with the above-mentioned reservations.)

STIPULATION

WHEREAS the Respondent has, pursuant to the permission of the Trial Examiner (Record page 4257) prepared and submitted to counsel for the National Labor Relations Board the attached list of corrections to be made in the stenographic record of this case, and

WHEREAS counsel for the National Labor Relations Board, having reviewed said proposal and having found that the official record was in fact incorrect in these matters except as to certain items hereinafter mentioned,

NOW THEREFORE it is hereby stipulated by and between counsel for the Respondent and counsel for the National Labor Relations Board that the official transcript of record in the above captioned case contains certain errors specifically set out herein and marked Pages 2 to 12 inclusive, except that 33 items originally included in Pages 2 to 12 have been deleted by drawing a line through such items, it having been found that said thirty-three (33) items were in fact not errors but that to the contrary the record was as to them correct.

It is further stipulated by and between counsel that this stipulation shall be copied by the official reporter into

the official record and stand as correction of the errors noted therein.

Dated this 27 day of January, 1938.

REPUBLIC STEEL CORPORATION
By (signed) THOMAS F. PATTON
By (signed) DAY, YOUNG, VEACH & LEFEVER
Attorneys
NATIONAL LABOR RELATIONS BOARD
By (signed) JOSEPH A. HOSKINS
Attorney

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26	Martin should be "Morton"	20
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27	Meyers should be "Myers"	25
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94	Hesse should be "Hess"	3
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765	goods should be "dogs"	22
795	Haley should be "Linckenhely"	23
798	Snarley should be "Schnierle"	15, 19
803	Bandie's should be "Bandi's"	4, 6, 7, 13
803	Bandie should be "Bandi"	8
804	John should be "Dan"	15
805	low should be "long"	4
805	Bandie's should be "Bandi's"	15
805	John should be "Dan"	21
807	Bandie's should be "Bandi's"	13
818	Meyersdale should be "Martindale"	20
820	Bandie's should be "Bandi's"	21
824	Bandie's should be "Bandi's"	17
832	Thomas should be "George"	6
838	labor should be "liquor"	13
843	"No" should be stricken out	16
869	1930 or 1931 should be "1920 or 1921"	14
874	Bab should be "Bob"	2
889	"on" should be "out"	3
908	Snarley should be "Schnierle"	4, 15, 19
909	Snarley should be "Schnierle"	4
909	Seattle should be "C. I. O."	16
930	Secomb should be "Seccombe"	16

Vol. 6	*Canton, Ohio*	*August 11, 1937*
956	Schnerly should be "Schnierle"	19
958	Schnerly should be "Schnierle"	19
965	Schnerly should be "Schnierle"	13
971	Bandie's should be "Bandi's"	21
972	Bandie's should be "Bandi's"	2 ,6, 10, 25
973	Bandie's should be "Bandi's"	12
975	Bandie's should be "Bandi's"	5, 8

Page		Line
976	Harrison should be "Harris"	8
977	Bandie's should be "Bandi's"	6, 24
981	Schnerly should be "Schnierle"	8
983	Becker should be "Beckner"	21
988	Schnerly should be "Schnierle"	10, 12
990	Bandie's should be "Bandi's"	15
994	chain should be "crane"	24
996	Yodius should be "Yothers"	19, 20
1001	Yodius should be "Yothers"	24
1002	Yodius should be "Yothers"	11, 15
1005	Insert the word "care" between "taking" and "of"	2
1005	Yodius should be "Yothers"	19, 21
1038	Bortz should be "Portz"	4, 9, 16, 21
1039	Bortz should be "Portz"	3
1040	Later should be "Lauter"	13
1041	Cole Meyers should be "Carl Myers"	8
1042	Lincolnhaley should be "Linckenhely"	3
1046	Cole Meyers should be "Carl Myers"	9
1086	Lincolnhaley should be "Linckenhely"	6, 7, 8, 15
1087	Lincolnhaley should be "Linckenhely"	6, 12, 20
1088	Lincolnhaley should be "Linckenhely"	4, 13, 24
1096	Lincolnhaley should be "Linckenhely"	2
1101	nick should be "neck"	7, 9, 10
1105	Cole Meyers should be "Carl Myers"	21
1108	Lincolnhaley should be "Linckenhely"	15
1109	Lincolnhaley should be "Linckenhely"	18, 24

Vol. 7 *Canton, Ohio* *August 12, 1937*

1141	Stanley should be "Stainless"	22
1146	Lincolnhaley should be "Linckenhely"	15, 17, 20
1175	Lincolnhaley should be "Linckenhely"	18, 19
1177	Lincolnhaley should be "Linckenhely"	8

Page		Line
Vol. 8	*Canton, Ohio*	*August 20, 1937*
1227	Canton should be "Youngstown"	2
1231	Graff should be "Graft"	3, 23
1232	Graff should be "Graft"	7, 8, 16, 20
1243	Strike out "cap"	8, 9
1254	Waite should be "White"	18, 19
1257	Grant should be "Graft"	20, 21, 22, 24
1275	Sponceller should be "Sponsler"	13, 14
1276	Sponceller should be "Sponsler"	10, 11
1291	Waters should be "Walters"	1
1317	Strike out "cap"	14, 16
1319	Strike out "cap"	5, 18
1320	Strike out "cap"	12, 16, 22
1321	Strike out "cap"	5, 23
1322	Strike out "cap"	3
1323	Strike out "cap"	16
1326	Strike out "cap"	3
1331	Strike out "cap"	22
1332	Strike out "cap"	21
1334	Strike out "cap"	4, 11
1335	Strike out "cap"	17
1341	Strike out "cap"	15
1343	Strike out "cap"	11
1345	Strike out "cap"	9
1348	lawsy should be "laws"	1
1401	bus should be "box"	21
1404	Grant should be "Graft"	13, 18
1405	Grant should be "Graft"	18, 22
1409	Grant should be "Graft"	8, 19
1411	Grant should be "Graft"	3, 9, 11
1412	Grant should be "Graft"	1, 24
1412	State should be "street"	23
1413	Grant should be "Graft"	3, 17, 21
1414	Grant should be "Graft"	2, 4, 10, 14

Page		Line
1416	Grant should be "Graft"	6
1419	Grant should be "Graft"	9, 11, 21
1420-A	Grant should be "Graft"	1
1421	Grant should be "Graft"	2, 7
1422	Grant should be "Graft"	2, 10
1424	Grant should be "Graft"	5, 15
1425	Grant should be "Graft"	10
1426	Grant should be "Graft"	9
1428	June should be "July"	17
1454	Rebpucli should be "Republic"	18

Vol. 9 *Youngstown, Ohio* *August 21, 1937*

On cover—pages should be indicated as 1471-1569

1472	Canton should be "Youngstown"	2

Vol. 10 *Youngstown, Ohio* *August 23, 1937*

1578	plane should be "plate"	15, 16, 18
1579	warning should be "Warnock"	16, 17
1580	warning should be "Warnock"	12

Vol. 11 *Youngstown, Ohio* *August 24, 1937*

no corrections.

Vol. 12 *Cleveland, Ohio* *August 27, 1937*

Index	Castin should be "Castman"	
Index	Anneli should be "Armeli"	
Index	Pinichy should be "Pirichy"	
1927	distribut should be "distribute"	9

Page		Line
1978	Castin should be "Castman"	17, 23
1980	standing should be "sanding"	3, 7
1982	Rudick should be "Brulick"	5. 6, 14
1982	Castin should be " Castman"	15
1982	stand should be "sand"	18
1988	Castin should be "Castman"	10, 14
1989	Castin should be "Castman"	21
2009	Anneli should be "Armeli"	7, 8, 14
2025	Hackler should be "Hagberg"	4, 16, 18
2034	Pinichy should be "Pirichy"	21
2035	Pinichy should be "Pirichy"	3
2037	Pinichy should be "Pirichy"	23
2043	Pinichy should be "Pirichy"	21
2070	Nick Mikes should be "Nicola Michich"	22, 23, 25
2071	Belleau should be "Belline"	11, 12, 19
2072	Belleau should be "Belline"	7
2077	Belleau should be "Belline"	25
2078	Belleau should be "Belline"	7, 12
2096	Seibel should be "Sabol"	23, 24
2100	Note: Pages 2100 to 2112 are numbered 3000 to 2013	
2108	Seibel should be "Sabol"	3

Vol. 13 *Cleveland, Ohio* *August 28, 1937*

2129	1933 should be "1923"	2
2179	plant should be "plan"	21

Vol. 14 *Cleveland, Ohio* *August 30, 1937*

2315	Comminist should be "Communist"	12

Vol. 15 *Canton, Ohio* *September 1, 1937*

2429	Page is numbered "2929"	

Page		Line
2470	Peppert should be "Peppard"	1, 16
2471	Peppert should be "Peppard"	8, 9
2472	Peppert should be "Peppard"	11
2512	Poll should be "Poe"	19
2527	Curle should be "Curley"	13
2552	town should be "down"	5

Vol. 16 *Canton, Ohio* *September 2, 1937*

2617	industries should be "instances"	10
2658	word missing	24

Vol. 17 *Canton, Ohio* *September 3, 1937*

2819	attach should be "attack"	5
2854	This page is between 2855 and 2856	
2856	Shoen should be "Schoen"	21
2871	"a rumor" should be "an order"	9
2877	street should be "three"	17
2883	truth should be "proof"	7

Vol. 18 *Canton, Ohio* *September 7, 1937*

2937	term should be "time"	2
2957	Fellavon should be "Fellabom"	9
2973	had should be "have"	17
2973	Fellavon should be "Fellabom"	25
2989	Gung should be "gun"	19
2997	Fellenvon should be "Fellabom"	1, 2
3008	Fellenvon should be "Fellabom"	18
3016	Fellovan should be "Fellabom"	1
3048	Peppert should be "Peppard"	9, 20
3080	Fellabaum should be "Fellabom"	7, 24

Page		Line
3082	Fellabaum should be "Fellabom"	20
3085	Fellabaum should be "Fellabom"	22
3087	Fellabaum should be "Fellabom"	24
3094	Fellabaum should be "Fellabom"	17
3097	Penn Plan should be "Tin Can"	22
3122	Fellabaum should be "Fellabom"	12, 15, 16, 22, 24
3131	assistants should be "assistance"	13
3140	Fellabaum should be "Fellabom"	9, 15, 16, 22, 24

Vol. 19 *Canton, Ohio* *September 8, 1937*

3208	cops should be "shots"	10
3312	last should be "that"	9
3350	ecord should be "record"	16
3367	smal! should be "smell"	19
3379	base should be "bass"	13, 16
3389	base should be "bass"	10

Vol. 20 *Canton, Ohio* *September 9, 1937*

3411	Peiro should be "Piero"	12
3411	Zeornecle should be "Zernich l"	12
3420	Culbert should be "Culvert"	24
3421-A	copulas should be "cupolas"	16
3428	Gerald should be "Darrell"	2, 11
3522	irst should be "first"	7
3548	bet should be "met"	22
3619	He should be "We"	1
3630	Peppert should be "Peppard"	9, 10, 16
3630	Angstadt should be "Angstedt"	12, 14
3633	Peppert should be "Peppard"	15

Vol. 21 *Canton, Ohio* *September 10, 1937*

On cover—Pages should be indicated 3642-3808

Page		Line
3653	Band's should be "Bandi's"	3
3657	Becker should be "Beckner"	15
3684	Berkner should be "Beckner"	1
3720	ruler should be "roller"	6, 10
3732	Brandi's should be "Bandi's"	2
3741	Page is numbered 1741	
3741	Gelt should be "Geltz"	13
3776	Murphy should be "Mercy"	2

Vol. 22 *Canton, Ohio* *September 13, 1937*

	On cover—Pages should be indicated as 3809-3977	
3810	Lindsayl should be "Lindsay"	2
3812	Davies should be "Davey"	7, 8
3813	Virchfield should be "Burchfield"	5
3832	Note: Pages 3832 to 3856 are numbered 2632 to 3656	
3852	Lappan should be "Lappin"	5
3855	Lappan should be "Lappin"	13, 14
3948	tipped should be "chipped"	23
3948	tip should be "chip"	25
3949	tipped should be "chipped"	4
3959	Chicago should be "suggestion"	6
3966	"can't push" should be "sort of pushed"	22
3974	I expect should be "I've spent"	25

Vol. 23 *Canton, Ohio* *September 14, 1937*

4004	Lenham should be "Lanham"	14
4011	Shriber should be "Schreiber"	11, 14, 21, 26
4016	Emmel should be "Immel"	7, 15
4042	Meyers should be "Myers"	12, 16, 24
4057	Hammocker should be "Hamaker"	14
4058	Hammacher should be "Hamaker"	1, 3

Page		Line
4059	Hammacher should be "Hamaker"	2, 21, 23
4060	Hammacher should be "Hamaker"	6
4068	Meyers should be "Myers"	3, 7, 20
4071	Meyers should be "Myers"	9, 12, 16, 25
4075	Meyers should be "Myers"	3
4080	Meyers should be "Myers"	24
4086	Meyers should be "Myers"	1
4090	Meyers should be "Myers"	10 twice
4090	Gubbens should be "Gubbins"	22
4099	Hammacher should be "Hamaker"	18
4102	removed should be "rumored"	15
4170	Rich should be "Ritz"	12
4209	14th should be "15th"	last line

Vol. 24 *Youngstown, Ohio* *September 15, 1937*

4218	pickets should be "picture"	8
4227	John should be "Johns"	9
4228	John should be "Johns"	16
4229	John should be "Johns"	1, 4, 6
4231	John should be "Johns"	9
4232	John should be "Johns"	15
4257	840 should be "843"	18
4269	Kutchell should be "Cutshall"	20, 22, 23
4270	Kutchell should be "Cutshall"	4, 9
4271	Kutchell should be "Cutshall"	1
4294	Rikel erger should be "Eichelberger"	7
4329	too should be "two"	2
4352	John should be "Johns"	22
4353	John should be "Johns"	3, 22
4396	chose should be "chosen"	15
4408	Wille should be "Lilly"	7

Page		Line
Vol. 25	*Canton, Ohio*	*September 16, 1937*

No corrections.

Vol. 26	*Youngstown, Ohio*	*September 17, 1937*

No corrections.

Vol. 27	*Youngstown, Ohio*	*September 18, 1937*

	Cover—Pages should be indicated as 4551-4574.	
4559	"Lettered" should be "numbered"	9
4559	Period after "subdivision"	9
4559	Quotation marks before "that"	9
4559	Quotation marks after "charges"	19
4559	After word "complainant" strike out the word "in" and add "who is not"	21
4560	After the word "words" add "we"	10
	"has" (second word) should be "have"	17
4560	Add the word "that" before "they"	18
4562	Add the word "those" after "except"	4
4562	lawful should be "liable"	21
	any should be "law"	23
4563	Abie should be "A-B"	12 ,15, 17
4566	This page is found between pages 4567 and 4568	

Vol. 28	*Youngstown, Ohio*	*September 20, 1937*

4644	foolscape should be "foolscap"	2

Vol. 29	*Youngstown, Ohio*	*September 21, 1937*

4757	objection should be "introduction"	5

Page		Line
4757	discriminatory should be "discrimination"	7
4797	Mondara should be "Mondora"	24
4801	Mondara should be "Mondora"	8
4806	Mondura should be "Mondora"	21
4807	Mondura should be "Mondora"	22
4810	Mondura should be "Mondora"	1
4812	Mondura should be "Mondora"	18
4813	Mondura should be "Mondora"	2
4835	Mondara should be "Mondora"	16
4837	Mondura should be "Mondora"	1
4887	discriminatory should be "discrimination"	21
5012	wait should be "want"	7

Vol. 30 *Cleveland, Ohio* *September 23, 1937*

5038	Add "the right" after the word "you"	14
5150	"says" should be "say"	12

Vol. 31 *Cleveland, Ohio* *September 24, 1937*

5366	Peppert should be "Peppard"	6
5367	Peppert should be "Peppard"	11, 13
5373	Peppert should be "Peppard"	9
5375	Peppert should be "Peppard"	23
5379	Peppert should be "Peppard"	11
5383	Peppert should be "Peppard"	4, 6, 15
5387	Peppert should be "Peppard"	4, 20
5388	Peppert should be "Peppard"	1, 4, 6, 7, 11, 17, 20 & 21
5389	Peppert should be "Peppard"	2, 19, 23, 24
5390	Peppert should be "Peppard"	14, 17, 23
5391	Peppert should be "Peppard"	3, 4, 16
5393	Peppert should be "Peppard"	1, 18, 24

Page		Line
5397	Peppert should be "Peppard"	5, 23
5398	Peppert should be "Peppard"	1, 18
5403	Peppert should be "Peppard"	3, 21
5406	Peppert should be "Peppard"	2
5452	sheep should be "sheet"	20

Vol. 32 *Cleveland, Ohio* *September 25, 1937*

No corrections

Vol. 33 *Cleveland, Ohio* *September 27, 1937*

No corrections.

XXXIV.

PETITION OF REPUBLIC STEEL CORPORATION TO REVIEW AND SET ASIDE ORDER OF NATIONAL LABOR RELATIONS BOARD DATED OCTOBER 18, 1938

(Filed in U. S. C. C. A. Oct. 20, 1938)

To the Honorable, the Judges of the United States Circuit Court of Appeals for the Third Circuit:

The petition of Republic Steel Corporation, by its attorneys, respectfully shows and alleges:

1. The petitioner is, and at all times hereinafter mentioned or referred to was, a corporation duly organized and existing under and by virtue of the laws of the State of New Jersey, engaged in the production, sale and distribution of iron, steel and other metal products in plants owned and operated by it and/or by its subsidiaries, which are located in various states of the United States of America, including among others, plants owned and operated by it in the Cities of Pittsburgh and Beaver Falls, in the State of Pennsylvania.

2. The respondent, National Labor Relations Board, is a public body organized and existing under an act of Congress (49 Stat. 10, 29 U. S. C. A. Section 151 et seq.) herein referred to as "National Labor Relations Act", and the members of said Board, to wit, J. Warren Madden, Edwin S. Smith and Donald Wakefield Smith, have been appointed by the President of the United States pursuant to said act of Congress.

3. Upon charges and supplementary charges filed by Steel Workers Organizing Committee, and alleged labor organization, the National Labor Relations Board issued its complaint dated July 15, 1937, against the petitioner herein, alleging that said petitioner herein had engaged in and was engaging in unfair labor practices within the meaning of Section 8 (1), (2) and (3) and Section 2 (6) and (7) of the National Labor Relations Act, 49 Stat., 449, which allegations were denied by the petitioner in its answer duly filed.

4. A hearing was held before the National Labor Relations Board on said complaint before the time for the filing of petitioner's answer thereto had expired and before said answer was filed, in the City of Washington, District of Columbia, from July 21 to July 24, 1937, and thereafter, and following the filing of the answer of petitioner, the hearing was continued before a Trial Examiner designated by the Board, at the places and on the dates as follows: In Canton, Ohio, from August 9 to August 12, 1937, in Youngstown, Ohio, from August 21 to August 24, 1937, in Cleveland, Ohio from August 27 to August 28, 1937, in Canton, Ohio, from September 1 to September 16 1937, in Youngstown, Ohio, from September 17 to September 21, 1937, and in Cleveland, Ohio, from September 23 to September 27, 1937.

5. Proceeding without report from the Trial Examiner and without permitting argument to be made or briefs to be filed on behalf of the petitioner, said National Labor Relations Board on April 8, 1938, issued its decision and order which is a part of the record of this cause and which is hereby made a part hereof by reference, the same as if fully herein rewritten. On April 18, 1938, the petitioner filed in this Court its petition to review and set aside the

order of the National Labor Relations Board of April 8, 1938, and served on the Board a written request that it prepare the transcript in this proceeding and certify and file it in this Court, the petitioner expressing its willingness to pay any expenses thereby incurred. On the same day, April 18, 1938, the Board advised the petitioner that it would prepare the record as promptly as possible for certification to the Court, thereby undertaking to file the record therein. On April 22, 1938, the petitioner filed a petition for a stay against carrying into effect the order of the Board of April 8, 1938, until this cause was finally determined in this Court. On April 30, 1938, in the course of a hearing before this Court upon the petitioner's motion for a stay, counsel for the Board advised the Court that it was considering vacating its order of April 8, 1938. On May 3, 1938, the Board not having filed the transcript of the evidence and proceedings before the Board, this Court, pursuant to a motion filed by the petitioner, issued a rule directing the Board to show cause on or before May 13, 1938, why it should not be required to certify and file in this Court a transcript of the record in the proceedings before the Board, and at the same time issued an order restraining the Board from taking any action in this cause until the return day of the rule. On May 6, 1938, the Board filed in this Court its motion for the vacation of the said restraining order. On May 13, 1938, the Court made absolute its rule of May 3, 1938, requiring the Board to forthwith file and certify the transcript of the record and enjoining the Board from taking any further steps or proceedings in this cause until the transcript was filed. On the same day the Board presented to the Supreme Court of the United States it petition for writs of mandamus and prohibition, directing this Court to vacate its order of May 13, 1938, and prohibiting it from exercising any jurisdiction upon the petition to review and

set aside the Board's order of April 8, 1938. On May 31, 1938, after argument before the Supreme Court of the United States, that Court decided that this Court was without jurisdiction to enter its order of May 13, 1938, as aforesaid, and on June 7, 1938, this Court entered its order vacating its prior order of May 13, 1938. On June 9, 1938, the Board notified the petitioner that the Board would on June 14, 1938, unless sufficient cause to the contrary should then appear, vacate and set aside its order of April 8, 1938, for the purpose of further proceedings before the Board, and thereupon the petitioner filed its motion and objection to action by the Board vacating its said order, upon the ground that it was without jurisdiction so to do, which motion has been denied by the Board. On June 14, 1938, the Board entered an order vacating and setting aside its order of April 8, 1938, and directing that such further proceedings be taken in this cause before the Board as it might be advised were necessary or advisable, and thereupon the petitioner filed with the Board its motion and objection to the taking of such further proceedings by the Board upon the ground that it lacked jurisdiction so to do, which motion has been denied by the Board. On June 27, 1938, this Court, upon motion of the Board, dismissed the petition to review and set aside the Board's order of April 8, 1938. On July 8, 1938, the Board entered an order directing the issuance of proposed findings of fact, proposed conclusions of law and proposed order, and affording an opportunity to the petitioner to file exceptions thereto and briefs in support thereof and setting oral argument in support of said exceptions for August 11, 1938, and on the same day, to wit, July 8, 1938, the Board issued alleged proposed findings of fact, proposed conclusions of law and proposed order, which were substantially identical with the findings of fact, conclusions of law and order issued by the Board

on April 8, 1938, as heretofore set forth. On August 4, 1938, the petitioner duly filed its exceptions to the Board's proposed findings of fact, proposed conclusions of law and proposed order, a request to the Board for further information, and its exceptions to rulings of the Board and the Trial Examiner upon motions, objections and offers to prove at the hearing of evidence in this cause, which were submitted to the Board on oral argument and brief on August 11, 1938, together with certain exceptions filed by Steel Workers Organizing Committee, in response to whose charges the complaint in this cause was filed by the Board. On August 4, 1938, the petitioner filed with the Board its motion to reopen this cause and to permit it to introduce additional evidence, which motion was duly submitted to the Board on August 11, 1938. On October 18, 1938, the National Labor Relations Board issued its decision and order which is a part of the record of this cause and which is hereby made a part hereof by reference, the same as if fully herein rewritten. In said decision and order of October 18, 1938, the said Board found that the petitioner had engaged in and was engaging in specified practices allegedly in violation of said National Labor Relations Act. And said Board ordered, among other things, that the petitioner cease and desist from specified alleged practices; that petitioner withdraw all recognition from specified labor organizations, of which many of its employees are members, as representatives of any of petitioner's employees for specified purposes and dis-establish such organizations as such representatives; that petitioner, in a specified manner, offer certain persons immediate reinstatement, and upon their respective applications, offer to reinstate, in a specified manner, certain other persons, to their former or substantially equivalent positions with petitioner, without prejudice to their seniority and other

rights and privileges and place all of certain employees for whom employment is not immediately available on a preferential list for subsequent employment in a specified manner; that petitioner pay to each of certain persons sums sufficient to equal that which each would normally have earned as wages during certain periods, less the amounts, if any, which each earned during such periods, deducting, however, from sums otherwise payable to such employees monies received by them during such periods for work on public relief projects which sums so deducted petitioner is ordered to pay to the public relief agencies which furnished employment to such employees during such periods; that petitioner immediately post in certain of its plants specified notices to its employees and that petitioner notify said Board in writing what steps petitioner has taken to comply with said order. On October 18, 1938, the Board denied the motion of petitioner to reopen the case and to introduce additional evidence in petitioner's behalf. Petitioner has not as yet been advised as to any action taken by the Board relating to petitioner's request of the Board for information, and no such information has as yet been furnished petitioner by the Board.

6. Under and by virtue of the National Labor Relations Act this Honorable Court has jurisdiction to hear this petition for the reasons that the petitioner resides in the State of New Jersey, within the Third Judicial Circuit of the United States of America, and the petitioner transacts business in the States of New Jersey and Pennsylvania within the Third Judicial Circuit of the United States of America.

7. The petitioner, believing itself aggrieved by the order dated October 18, 1938, of the National Labor Relations Board, and considering the same unlawfully preju-

dicial to it, hereby petitions for a review of said order of the National Labor Relations Board by this honorable Court, and assigns the following as its reasons for seeking such review and as its statements of errors committed by the National Labor Relations Board herein:

1. The Board had no jurisdiction or authority or power whatsoever under the provisions of the National Labor Relations Act or the National Labor Relations Board Rules and Regulations (including Article 2, Section 38(d) thereof, upon which the Board relies) or otherwise, to make and issue its decision and order of October 18, 1938, which the petitioner herein prays this Court to review and set aside.

2. The Board had no jurisdiction, authority or power whatsoever under the provisions of the National Labor Relations Act or the National Labor Relations Board Rules and Regulations (including Article II, Section 38(d) thereof, upon which the Board relies), or otherwise, to make or issue its order of July 8, 1938, directing the issuance of proposed findings of fact, proposed conclusions of law and proposed order and affording opportunity to file exceptions and brief and setting oral argument.

3. The Board had no jurisdiction, authority or power whatsoever under the provisions of the National Labor Relations Act or the National Labor Relations Board Rules and Regulations (including Article II, Section 38(d) thereof, upon which the Board relies), or otherwise, to make or issue its alleged proposed findings of fact, proposed conclusions of law and proposed order of July 8, 1938.

4. The Board erred in overruling and denying the objection of petitioner to the vacating and setting aside by the Board of its findings and order of April 8, 1938, for the

purpose of further proceedings before the Board, said objection being based upon the ground that the Board had no jurisdiction, authority or power whatsoever to vacate and set aside said findings and order for the purpose of further proceedings before the Board.

5. The Board erred in overruling and denying the petitioner's motion to dismiss the complaint herein and its objection to further proceedings by the Board herein, said motion and objection being filed on or about June 30, 1938, after the Board had on June 14, 1938, set aside its order of April 8, 1938, and being based upon the ground that the Board, after it had set aside its said order of April 8, 1938, was altogether without any jurisdiction, power or authority whatsoever to take any further proceedings herein.

6. The Board had no jurisdiction, authority or power whatsoever under the provisions of the National Labor Relations Act or the National Labor Relations Board Rules and Regulations (including Article II, Section 38(d) thereof, upon which the Board relies), or otherwise, to set aside its order of April 8, 1938, for the purpose of taking further proceedings before the Board herein.

7. The Board, having on April 8, 1938, made and issued its final findings of fact, final conclusions of law and final order, and later, on June 14, 1938, having voluntarily set them aside, was thereafter wholly without jurisdiction, authority or power under the provisions of the National Labor Relations Act or the National Labor Relations Board Rules and Regulations (including Article II, Section 38(d) thereof, upon which the Board relies), or otherwise, to make and issue its further alleged proposed findings of fact, proposed conclusions of law and proposed order of July 8, 1938, and/or its decision and order of October 18, 1938.

8. The Board, in making and issuing its alleged pro-

posed findings of fact, proposed conclusions of law and proposed order of July 8, 1938, and allegedly affording the petitioner the opportunity to have a hearing thereon, in which alleged hearing the petitioner, expressly reserving all of its rights in the premises and its objection to the jurisdiction of the Board, participated, did not in law or in fact actually take further proceedings herein or grant an actual legal hearing to the petitioner upon the matters involved herein, but did merely attempt to regularize its proceedings herein and its action heretofore taken on April 8, 1938, when it made and issued, without affording to petitioner any hearing whatsoever as to the charges made against it in the complaint herein or upon the questions of law or fact herein involved, its final findings of fact, its final conclusions of law and its final order, which were, as appears from the record, substantially the same as its alleged proposed findings of fact, proposed conclusions of law and proposed order of July 8, 1938, and with its findings of fact, conclusions of law, and order of October 18, 1938.

9. The Board's decision and order of October 18, 1938, does and, if carried into effect and operation, would deny to the petitioner due process of law, in violation of the Fifth Amendment to the Constitution of the United States by reason of the proceedings taken by and the acts of the Board herein, to wit:

The taking of evidence as to the charges made against the petitioner in the complaint herein and put in issue by the petitioner's answer herein was had in part before the Board and in part before a Trial Examiner designated by the Board; after the taking of evidence had been concluded, no intermediate report was filed with the Board by the Trial Examiner, nor were any proposed findings of fact, proposed conclusions of law or proposed order made or

issued by the Trial Examiner or the Board; on April 8, 1938, more than six months after the taking of evidence had been concluded, the Board, without affording to petitioner any hearing whatsoever, or any opportunity to argue this case orally or upon brief, or to contest before the Board the charges made against it in the complaint herein, made and issued final findings of fact, final conclusions of law and a final order herein against the petitioner; on June 14, 1938, the Board voluntarily set aside its final findings and final order of April 8, 1938, thereby likewise setting aside its final conclusions of law, the Board then stating that its reason for such action was that it might take such further proceedings herein as it deemed necessary or advisable; on July 8, 1938, the Board, without affording to the petitioner any hearing whatsoever and without first notifying the petitioner, as the petitioner had requested, as to what further proceedings it proposed to take, made and issued its alleged proposed findings of fact, proposed conclusions of law and proposed order, which are substantially identical with its original findings of fact, conclusions of law and order, and sought to afford the petitioner an opportunity to file exceptions thereto and to have a hearing thereon on August 11, 1938; on the day last named the petitioner, expressly preserving all of its rights in the premises and all of its objections and exceptions to the jurisdiction of the Board, argued orally and upon brief in support of its exceptions to the Board's alleged proposed findings of fact, conclusions of law and order of July 8, 1938; the alleged hearing of August 11, 1938, such as was afforded the petitioner by the Board, after the Board had already finally determined all questions of fact and of law herein and had made and issued its final order herein against the petitioner (April 8, 1938), was not and could not have been a hearing in accordance with the law of the land and the usual and ac-

cepted rules of procedure, and did not and could not grant or secure to the petitioner due process of law as guaranteed to it by the Fifth Amendment to the Constitution of the United States.

10. The Board's order and decision of October 18, 1938, denies to the petitioner due process of law, in violation of the Fifth Amendment to the Constitution of the United States, for the reason that the petitioner was not afforded any hearing as to the charges made against it in the complaint until after the Board had determined and decided all questions of fact and of law herein and had made and issued its final order herein (April 8, 1938); and in this connection the petitioner avers that the alleged hearing before the Board on August 11, 1938, was nothing more than a pretended hearing upon the questions of fact and questions of law already decided by the Board, and was therefore not a hearing in accordance with the law of the land and the usual and accepted rules of procedure.

11. The Board's decision and order of October 18, 1938, and the findings of fact and conclusions of law and order therein contained, deny to the petitioner due process of law, in violation of the Fifth Amendment to the Constitution of the United States, because the Board had made up its mind and reached a final conclusion and determination with relation to all questions of law and fact herein involved without first affording the petitioner a hearing before the Board as to the charges made against it by the complaint or as to the questions of law and fact herein involved.

12. The Board erred in affirming the rulings of the Trial Examiner made at the taking of evidence before him upon motions and objections and offers to prove, the record disclosing that said Trial Examiner did in fact commit in

that regard many errors prejudicial to the petitioner, all as appears in detail in the exceptions of the petitioner to the rulings of the Board and the Trial Examiner, which exceptions are by reference made a part of this petition for review.

13. The Board erred in making and issuing its findings of fact, conclusions of law and order herein, which are based in substantial part upon evidence erroneously admitted and considered by the Board to the prejudice of the petitioner at the taking of evidence before the Board and the Trial Examiner, respectively, and were made and issued without giving consideration to relevant and competent evidence offered by the petitioner in its behalf but excluded, to its prejudice, by the Board and the Trial Examiner, respectively, all as appears in detail in the exceptions of the petitioner of the rulings of the Board and the Trial Examiner, which exceptions are by reference made a part of this petition for review.

14. The Board erred in not dismissing the complaint herein upon the grounds set forth in the petitioner's answer thereto.

15. The Board erred in overruling a motion made by the petitioner, at the conclusion of the evidence offered by the Board, to dismiss the complaint herein, upon the grounds set forth in said motion.

16. The Board erred in not dismissing the complaint herein for the reason that the evidence herein does not disclose any unfair labor practices committed by the petitioner or the existence of any current labor dispute, and, hence, the Board was without jurisdiction in this case.

17. The Board erred in making and issuing its order herein for the reason that said order is contrary to law;

is not supported by the evidence herein; is based upon the Board's findings, which are not supported by the evidence herein, is based upon the Board's conclusions of law, which are unsound and incorrect statements of law and are not supported by or applicable to the evidence nor by the record herein; is beyond the jurisdiction of the Board, and is not based upon or justified by the Board's own findings of fact or its own conclusions of law.

17-a. The Board erred, for the reasons stated in paragraph 17, and for the further reason that it covers future transactions not connected with transactions at issue in the present case, present transactions outside of the issue herein, and is so indefinite as to require interpretation by the petitioner at its peril, in making and issuing its order No. 1-a.

17-b. The Board erred, for the reasons set forth in paragraphs 17 and 17-a, in making and issuing its order No. 1-b.

17-c. The Board erred, for the reasons set forth in paragraph 17 and 17-a, in making and issuing its order No. 1-c.

17-d. The Board erred, for the reasons set forth in paragraph 17, in making and issuing its order No. 12-a. And the Board erred in making and issuing said order for the additional reason that the National Labor Relations Act, if construed as vesting power and jurisdiction in the Board to make and issue said order so as to effectuate the policies of the Act, is unconstitutional and void, as being an attempt by Congress to vest legislative power in the Board, in violation of Article I, Section 1, of the Constitution of the United States.

17-e. The Board erred, for the reasons set forth in

paragraphs 17 and 17-d, in making and issuing its order No. 2-b.

17-f. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-c.

17-g. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-d.

17-h. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-e.

17-i. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-f.

17-j. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-g.

17-k. The Board erred for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-h.

17-l. The Board erred, for the reasons set forth in paragraphs 17 and 17-d, in making and issuing its order No. 2-i.

18. The Board erred in making and issuing that portion of its decision and order which is styled "The remedy", for the reason that all and singular the statements, findings and conclusions therein contained are contrary to law and not supported by the evidence nor by the record herein, and constitute an abuse of discretion upon the part of the Board.

19. The Board erred in making and issuing its conclusions of law, numbered from 1 to 7 inclusive, for the reason that said conclusions of law are, as a whole, and each separately, unsound and incorrect statements of law; are not supported by or applicable to the evidence herein; are based upon findings of fact which are not supported by the evidence herein nor warranted by the entire record herein; and are beyond the jurisdiction of the Board.

20. The Board erred in making and issuing that portion of its decision and order of October 18, 1938, which is designated therein as "Findings of Fact", upon the ground that it is not in proper and legal form in that it has mingled therein statements of witnesses, expressions of opinion, references to evidence and matters of argument upon the part of the Board. Preserving the error just above assigned, the petitioner avers that the Board erred in making and issuing its findings of fact as a whole, for the reason that said findings of fact are as a whole not supported by the evidence nor by the record herein. The petitioner, preserving the above assignments of error, avers that the Board erred, for the reasons already stated, in making and issuing each and every finding, statement and conclusion of fact in its decision and order set forth under the heading "Findings of Fact". Preserving, again, each and all of its assignments of error as above noted, the petitioner avers that the Board, for the reason that they are each and all not supported by the evidence nor by the record herein, erred in making and issuing findings of fact, as follows, to wit:

All and singular the findings of fact set forth and described in Exception 20, subdivisions (a) to (ss) inclusive, in the "Respondent's Exceptions to Proposed Findings of Fact, Proposed Conclusions of Law, and Proposed Order",

duly filed with the Board (August 4, 1938) and which are by reference made a part of this petition for review, the same as if set forth in full herein.

21. The Board erred in making and issuing its order herein in so far as it relates to or is based upon the strike, for the reason that the Board has no jurisdiction to make any order whatsoever relating to the strike or matters and things based upon or growing out of the strike due to the fact that the evidence herein discloses without dispute that the strike was caused solely because the petitioner refused to sign a proposed contract presented by the Steel Workers Organizing Committee, such refusal upon the petitioner's part not constituting an unfair labor practice under the terms of the National Labor Relations Act (as the Board itself expressly finds) and there being no current labor dispute here involved.

22. The Board erred in making and issuing that portion of its order herein (Sections 2(b), 2(f), and 2(g) by which petitioner is ordered by the Board to reinstate strikers formerly employed by the petitioner, including strikers specifically named or designated in the complaint and strikers not so named or designated, it appearing that the evidence herein discloses without dispute that the strike was wholly unlawful on the part of the said strikers and was called by reason of the refusal of the petitioner to sign a contract presented to it by the Steel Workers Organizing Committee, such refusal not constituting an unfair labor practice under the terms of the National Labor Relations Act (as the Board itself expressly finds) and there being no current labor dispute herein involved.

23. The Board erred in making and issuing its order for the reason that the Board should have dismissed the complaint herein upon the ground that the evidence herein

disclosed that the alleged acts of the petitioner complained of as constituting alleged unfair labor practices in violation of the National Labor Relations Act did not occur in interstate or foreign commerce and did not have a direct bearing thereon nor impede the flow thereof, all as appears in the evidence herein.

24. The Board erred in making and issuing its order for the reason that the Board should have dismissed the complaint herein because the evidence herein discloses that the strikers, individuals, groups and organizations, in whose behalf the Steel Workers Organizing Committee purported to act in filing the charges herein with the Board, and on whose behalf the complaint was filed, were guilty of many and repeated wholly unprovoked and unjustifiable acts and deeds of violence, coercion and intimidation against the petitioner and its employees, of such a character as to deprive those who filed the charges aforesaid of any right so to do, and to require the Board to dismiss the complaint herein predicated upon such charges.

25. The Board erred in making and issuing that portion of its order herein (Sections 2(f) and 2(g)) by which petitioner is ordered by the Board to reinstate, upon application, to their former positions of employment by the petitioner, strikers not named or specifically designated in the complaint as having been unlawfully or improperly discharged or discriminated against by the petitioner, for the reason that no issue as to them is tendered or raised by the complaint herein or by the issues, joined thereon, and the petitioner has never been accorded or offered a hearing nor the opportunity of making its defense as to the right of said strikers to be so reinstated, the order of the Board in this regard constituting a denial of due process of law to the petitioner in violation of the Fifth Amendment to the Constitution of the United States.

26. The Board erred in making and issuing that portion of its order herein (Sections 2(b), 2(f) and 2(g)) by which petitioner is ordered to reinstate, upon application, to their former positions of employment by the petitioner, strikers formerly employed by the petitioner, who, as the evidence herein discloses, have heretofore voluntarily quit their positions of employment by the petitioner, for the reason that said portion of the Board's order is contrary to law and not supported by the evidence herein and constitutes a denial to the petitioner of the right of liberty of contract as guaranteed to petitioner by the Fifth Amendment to the Constitution of the United States.

27. The Board erred in making and issuing that portion of its order herein by which petitioner is ordered to reinstate, upon application, to their former positions of employment by the petitioner, certain strikers formerly employed by the petitioner notwithstanding the fact that said strikers had committed acts of violence and lawless conduct in connection with the strike, and had either been convicted of or pleaded guilty to criminal charges, based upon such acts and conduct, made against them in the courts of Ohio, as follows, to writ: Assault and Battery, a misdemeanor, 12; Rioting, Assembling Together to do an Unlawful Act, a misdemeanor, 67; Carrying Concealed Weapons, a felony, 9; Interfering with and Obstructing Railway Tracks, a felony, 5; Malicious Destruction of Property to the value of $50.00, 6; for the reason that this portion of said order is contrary to law. And the Board erred in making and issuing that portion of its order herein by which petitioner is ordered to reinstate Balare Chismus and John Exall, specifically named in the complaint, notwithstanding the fact that the evidence herein discloses that they pleaded guilty in the Courts of Common Pleas of Mahoning County and Cuyahoga County, respectively, to the offense of assault

and battery, committed in connection with the strike.

28. The Board erred in making and issuing that portion of its order herein by which petitioner is ordered to reinstate, upon application, to their former positions of employment by the petitioner, certain strikers formerly employed by the petitioner notwithstanding the fact that said strikers, nine in number, entered pleas of guilty in the United States District Court for the Northern District of Ohio, Eastern Division, to the offense of impeding the United States mails.

29. The Board erred in making and issuing its order herein in so far as it relates to petitioner's Youngstown, Warren and Niles plants, for the reason that said order does not give weight and consideration to relevant and competent evidence offered by the petitioner at the hearing herein, but excluded by the Trial Examiner and the Board, tending to prove continued, concerted, wholly unprovoked and unlawful acts of conduct upon the part of strikers, pickets and persons affiliated with the Steel Workers Organizing Committee and the Committee for Industrial Organization, consisting of unlawful picketing, unlawful assemblage, riot, violence and general lawless conduct in and about the petitioner's Youngstown, Warren and Niles plants, said evidence being based upon the proffered testimony of approximately 75 witnesses and being embodied and described in detail in petitioner's offer to prove, marked its Exhibit 50, found in the record herein.

30. The Board erred in making and issuing its order herein in so far as it relates to petitioner's Cleveland plants, for the reason that said proposed order does not give weight and consideration to relevant and competent evidence offered by the petitioner at the hearing herein, but excluded by the Trial Examiner and the Board, tending to

prove continued, concerted, wholly unprovoked and unlawful acts and conduct upon the part of strikers, pickets and persons affiliated with the Steel Workers Organizing Committee and Committee for Industrial Organization, consisting of unlawful picketing, unlawful assemblage, riot, violence and general lawless conduct in and about the petitioner's Cleveland plants, said evidence so offered and so excluded being based upon the proffered testimony of approximately 200 witnesses and being embodied in and described in detail in petitioner's offer to prove, marked its Exhibit 64, found in the record herein.

31. The Board erred in making and issuing its order herein in so far as it relates to the petitioner's Youngstown, Warren, Niles and Cleveland plants, for the reason that the Trial Examiner erred at the hearing herein (his ruling being affirmed by the Board in its order), in refusing to permit petitioner to call to the witness stand, each separately and individually, approximately 75 witnesses from the Youngstown, Warren and Niles districts, and 200 witnesses from the Cleveland district, whose evidence, if received, would have tended to prove unlawful conduct upon the part of pickets, strikers and persons affiliated with the Steel Workers Organizing Committee and the Committee for Industrial Organization.

32. The Board erred in making and issuing that part of its order by which petitioner is ordered to cease and desist from certain specified acts and conduct with relation to certain alleged labor organizations, for the reason that at the hearing the Trial Examiner erred (his ruling being affirmed by the Board in its order), in excluding competent, admissible and relevant evidence offered by the petitioner as follows, to wit: That approximately 2000 of petitioner's employees at its Massillon, Ohio, plants did

not wish to go out on a strike but did wish to continue at work, and that they signed the back-to-work petition at Massillon and application cards for membership in the Independent Association of Republic Employees, an independent labor organization at Massillon, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2500 of its employees at its Canton, Ohio, plants did not wish to go out on a strike but did wish to continue at work, and that they signed application cards for membership in the Steel Workers of America, at Canton, an independent labor organization, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2900 of petitioner's employees at its Youngstown, Ohio, plants did not wish to go out on a strike, but did wish to continue at work and that they signed a back-to-work petition of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents, and that approximately 1900 of petitioner's employees at its Youngstown plants signed application cards for membership in the Independent Federation of Republic Employees, an independent labor organization at Youngstown, of their own free will and without being influenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2000 of petitioner's employees at its Warren and Niles plants did not wish to go out on a strike, but did wish to continue at work, and that they signed application cards for membership in the Employees Independent Association, an independent labor organization, of their own free will and without being in-

fluenced in that regard in any manner whatsoever by anything that was said or done by the petitioner, its officers or agents; that approximately 2500 of the petitioner's employees at its Cleveland plants did not wish to go out on a strike, but did wish to continue at work. All of the evidence so offered by the petitioner and excluded, is described in offers to prove found in the record.

33. The Board erred in making and issuing that part of its order (Sections 2(b), 2(f) and 2(g)), by which petitioner is ordered, subject to specified exceptions, to reinstate, upon application, to their former positions of employment by the petitioner, all strikers formerly employed by the petitioner, for the reason that the evidence and offers to prove by the petitioner establish the fact that said strikers are not entitled to reinstatement because they, acting some separately and all in concert, have committed in connection with the strike at various plants of the petitioner, many and repeated wholly unlawful, unprovoked and unjustifiable deeds and acts of violence, coercion and intimidation against the petitioner and its employees. And upon the same ground just above stated, the Board erred in making and issuing that part of its order by which petitioner is ordered to reinstate strikers who are specifically named or specifically designated in the complaint herein.

34. The Board erred in making and issuing its order as a whole and as to each and every separate order therein contained, for the reason that said order and said separate orders are not properly based upon the Board's own findings of fact and its own conclusions of law, even if (as the petitioner avers is not the fact) said findings of fact are supported by the evidence and said conclusions of law are correct statements of law.

35. The Board erred in making and issuing its findings

of fact, its conclusions of law and its order, for the reason that Article II, Section 38-d of the National Labor Relations Board Rules and Regulations, Series 1, as amended, upon which the Board relies in making and issuing said findings of fact, conclusions of law and order, does not, if properly construed, confer upon or vest in the Board any jurisdiction, authority or power whatsoever, to make said findings of fact, said conclusions of law and said order. And, in support of this assignment of error, the petitioner avers that if Article II, Section 38-d of the National Labor Relations Board Rules and Regulations, Series 1, as amended, is construed or interpreted as conferring upon or vesting in the Board any jurisdiction, power or authority whatsoever to make and issue said findings of fact, conclusions of law and order, then, in that event, said Section aforesaid is unconstitutional and void in that it denies to the petitioner due process of law, in violation of the Fifth Amendment to the Constitution of the United States.

36. The Board erred in making and issuing its findings of fact, conclusions of law and order, for the reason that the National Labor Relations Act does not, if properly construed, confer upon or vest in the Board any jurisdiction, authority or power whatsoever to make said findings of fact, said conclusions of law and said order. And, in support of this assignment of error, the petitioner avers that if the National Labor Relations Act is construed or interpreted as conferring upon or vesting in the Board any jurisdiction, power or authority whatsoever to make and issue said findings of fact, conclusions of law and order, then, in that event, said Act aforesaid is unconstitutional and void, in that it denies to the petitioner due process of law, in violation of the Fifth Amendment to the Constitution of the United States.

37. The Board erred in making and issuing its findings of fact, conclusions of law and order, for the reason that petitioner was not offered, as to the charges made against it in the complaint, a hearing in accordance with the usual and accepted rules of procedure and the law of the land, and was denied due process of law, in violation of the Fifth Amendment to the Constitution of the United States in that: The Trial Examiner designated by the Board (whose rulings on motions and objections to the admission of evidence are affirmed by the Board in its order, p. 3) displayed, throughout the hearing before him, a distinct bias and prejudice in favor of the strikers, the Steel Workers Organizing Committee and the Committee for Industrial Organization, in whose behalf the complaint herein was filed, and against the petitioner; arbitrarily and capriciously permitted counsel for the Board to introduce hearsay evidence and wholly inadmissible evidence prejudicial to the petitioner and in no way related to the issues here involved; unduly and arbitrarily restricted the introduction of competent and relevant evidence in behalf of the petitioner and prevented the petitioner from offering and presenting its defense to the charges made against it; attempted to lecture and intimidate the petitioner's witnesses; and in other respects and particulars denied to the petitioner a fair and impartial hearing, all as appears in detail in the petitioner's exceptions to the rulings of the Trial Examiner at the hearing before him.

38. The Board erred in making and issuing that portion of the Board's order by which petitioner is ordered to withdraw recognition from the Plan of Employees Representation and other labor organizations and to completely disestablish said labor organizations as employee representatives for specific purposes, including the pres

entation of grievances to petitioner (Order 2-a, p. 123), on the ground that this portion of the Board's order is beyond the scope of the jurisdiction and power constitutionally conferred upon the Board by the National Labor Relations Act, it being based upon those provisions of said Act which purport to confer upon the Board jurisdiction and power to require an employer (here. the petitioner) to take such affirmative action as will effectuate the policies of the Act, which portion of said Act is unconstitutional and therefore void, as being an attempt by Congress to delegate, without fixing definite rules or standards to be followed by the Board, legislative power to the Board, contrary to Article I, Section 1, of the Constitution of the United States, which vests all legislative power in the Congress of the United States.

39. The Board erred for reasons stated in the preceding paragraphs in making and issuing that portion of the Board's order by which the petitioner is ordered to post in conspicuous places in its plants and maintain for a period of at least sixty days, notices to its employees stating that it will cease and desist from certain practices, and that recognition is withdrawn from the labor organizations named in the order and that they have been completely disestablished as employee representatives; and for the further reason that it requires the petitioner to admit having engaged in unfair labor practices, which it disclaims.

40. The Board erred in making its findings that petitioner has engaged in unfair labor practices affecting interstate commerce, and in making an order based upon such finding for the reason that the National Labor Relations Act, in so far as it seeks to authorize the Board to make such finding and base an order thereon requiring the petitioner to cease and desist from such practices,

to reinstate former employees with or without back pay, and to take such other affirmative action as will effectuate the policies of the Act, is unconstitutional and therefore void, as being an attempt on the part of Congress to confer judicial power upon the National Labor Relations Board, contrary to Article III, Section 1, of the Constitution of the United States.

41. The Board erred and committed an abuse of discretion in making and issuing that portion of the Board's order (Section 2 (b), 2 (f) and 2 (g)) which, subject to specified exceptions, requires petitioner to place those of its former employees who went out on strike and may hereafter apply for reinstatement pursuant to the Board's order upon a preferential list and to give them employment when available in any of certain of the petitioner's plants, regardless of their previous place of employment, before other employees are hired, for the reason that said portion of the Board's order is contrary to law, not supported by the evidence and wholly beyond the jurisdiction, authority and power of the Board.

42. The Board erred and committed an abuse of discretion in including in its order among the petitioner's plants referred to in the preceding paragraph, plants which it has acquired since the date of the hearing of the evidence herein from its subsidiaries or otherwise, or has opened since that date, for the reason that such action by the Board is contrary to law, is not supported by the evidence and is wholly beyond the jurisdiction, authority and power of the Board, and upon the further ground that no issue or question whatsoever was presented to or determined by the Board or Trial Examiner at the hearing and taking of evidence herein, relating in any manner whatsoever to plants of the petitioner acquired or opened since the date of the hearings of evidence herein, or to

the respective rights, duties and liabilities of the petitioner and its striking employees with relation to such plants so acquired or opened or employment therein.

43. The Board erred in making and issuing that portion of the Board's order (Section 2 (b), 2 (f) and 2 (g)) which requires the petitioner to dismiss from its employment employees hired by the petitioner since the commencement of the strike and now employed by it so as to make places for the reinstatement of strikers, for the reason that said portion of the Board's order is contrary to law, not supported by the evidence and wholly beyond the jurisdiction and authority of the Board, and constituted an abuse of discretion by the Board.

44. The Board erred in making and issuing that portion of its order which requires the petitioner, subject to the specified exceptions, to reinstate upon application former employees of the petitioner who went out on a strike, and to pay such employees, if upon application by them, reinstatement by the petitioner is not granted, altogether regardless of whether such employees have lost their status as employees of the petitioner by the doing of acts furnishing good cause for their discharge, or non-reinstatement, or by having obtained other employment substantially equivalent to their former employment by the petitioner or otherwise for the reason that said portion of the Board's order is contrary to law and not supported by the evidence and wholly beyond the jurisdiction and authority of the Board.

45. The Board erred in making and issuing that portion of the Board's order by which petitioner is ordered, subject to specified exceptions, to reinstate, upon application, its former employees who went out on strike, notwithstanding the fact that, upon the evidence herein

and additional competent and relevant evidence sought to be introduced by the petitioner, the strike has been heretofore, in law and in fact, finally concluded and terminated and the aforesaid former employees of the petitioner have ceased to have any legal or factual status as employees of the petitioner, for the reason that said portion of the Board's order is contrary to law, not supported by the evidence, and beyond the jurisdiction, power and authority of the Board.

46. The Board erred in making and issuing its findings of fact, conclusions of law and order, for the reason that, in making and issuing them, the Board failed to take into consideration additional competent and relevant evidence in behalf of the petitioner, permission to introduce which was prayed for by the petitioner in motions duly filed with the Board for that purpose and by the Board denied.

47. The Board erred in making and issuing its order, and each and every portion thereof, and particularly those portions thereof by which the petitioner is ordered, subject to specified exceptions, to reinstate strikers, upon application, and, in order to make places for them, to dismiss employees hired since the strike commenced, and under certain conditions to place strikers upon a preferential list, and to disestablish and discontinue dealing with certain labor organizations, for the reason that said order and each and every portion thereof, and particularly the portions just hereinbefore specifically described, constitute an arbitrary and gross abuse of discretion upon the part of the Board and do not tend in any manner whatsoever to effectuate the policies of the National Labor Relations Act, but tend to defeat them.

48. The Board erred in finding as a fact that the

fundamental cause of the strike and a substantial factor in its precipitation on May 25 and May 26, 1937, was a long series of unfair labor practices upon the part of the petitioner, and in making and issuing that portion of the Board's findings of fact, conclusions of law and order, relating to "causes of the strike", and to each and every portion of the Board's order based upon said findings and statements aforesaid, upon the ground that there is a total, absolute and fatal variance between the Board's said findings and statements and that portion of the complaint wherein the unfair labor practices of the petitioner alleged to have caused or contributed to cause the strike are set forth and described. (See complaint, paragraphs 3-15, inc.)

49. The Board erred in making and issuing that portion of the decision and order in which, in substance, the Board states as its conclusions that petitioner is estopped by reason of its own alleged violence and lawless conduct, to assert that relief should be denied the members of the Steel Workers Organizing Committee and the strikers because of their having committed acts of violence and lawless conduct, upon the ground that said statement and conclusion are contrary to law, not supported by the evidence herein, and beyond the jurisdiction of the Board.

50. The Board erred in finding that the Steel Workers Organizing Committee and the Amalgamated Association of Iron, Steel and Tin Workers of North America are each and both labor organizations, for the reason that said finding, in each respect, is not supported by the evidence nor by the record herein, and upon the further ground that the Board's own decision and order contains the following statement, to wit:

"II. The Union

"While the record contains no detailed evidence relating to structure and function of the Steel Workers Organizing Committee and the Amalgamated Association of Iron, Steel and Tin Workers of North America, we have found upon numerous occasions in other cases, and the record as a whole in this case makes clear, that these organizations are labor organizations affiliated with the Committee for Industrial Organization." (pp. 6, 7)

51. The Board erred in making and issuing that portion of the Board's order by which petitioner is ordered, subject to specified exceptions, to reinstate, upon application, former employees who went out on strike, for the reason that said portion of the Board's proposed order is contrary to law, not supported by the evidence and beyond the jurisdiction of the Board, in that the evidence herein wholly fails to establish that the said strikers, or any of them, went out on a strike or ceased work as employees of the petitioner in consequence of or in connection with any current labor dispute or because of any unfair labor practice upon the part of the petitioner.

52. The Board erred in making and issuing its order herein based upon its findings of fact and conclusions of law for the reason that it will, in its operation and effect, deprive the petitioner of the right to meet, counsel and advise with labor organizations of its own employees, and the members thereof, even if such meetings or conferences be requested by them; the right through its officers, management and supervisory agents to discuss freely matters involving employment and having relation to wages, hours and working conditions, and the right to express freely,

orally or in writing, its views and opinions concerning labor organizations and the duty or obligation of any of its own employees to become members thereof; thereby abridging the petitioner's freedom of speech, as is guaranteed to it by the First Amendment to the Constitution of the United States.

53. The Board erred in making and issuing its order herein for the reason that the National Labor Relations Act, as construed and applied by the Board as proposed herein, is unconstitutional and void in that it denies to the Petitioner due process of law and freedom of contract in violation of the Fifth Amendment to the Constitution of the United States, and freedom of speech in violation of the First Amendment to the Constitution of the United States, and in that it seeks to delegate to the Board, an administrative body, the right to exercise legislative power in violation of Article I, Section 1 of the Constitution of the United States, and judicial power in violation of Article III, Section 1 of the Constitution of the United States.

54. The Board erred in making and issuing its findings of fact, conclusions of law and order for the reason that the Board, having set aside its order of April 8, 1938, if the National Labor Relations Act or any provision thereof gives or purports to give to the Board any jurisdiction, power or authority thereafter to take any further proceedings herein, said act or part thereof giving or purporting to give such jurisdiction, power and authority, fails to state what further proceedings or orders the Board may take or make in such contingency, and fails to set up any standards whatsoever by which it can reasonably be determined what further proceedings or orders in such contingency the Board may take or make, and is therefore invalid and in violation of Sec-

tion 1 of Article I of the Constitution of the United States in that it constitutes an unauthorized and improper delegation to the Board of powers vested exclusively in Congress, the legislative branch of the Government.

55. The Board erred in making a finding that the socalled back-to-work movements are labor organizations within the meaning of the National Labor Relations Act, for the reason that said finding is contrary to law and not supported by the evidence.

56. The Board erred in making and issuing its findings of fact, conclusions of law and order for the reason that, in making and issuing them, the Board treated, and relied upon, as evidence, matters and things outside of the taking of evidence and the record herein.

57. The Board erred in making and issuing those portions of its order by which the petitioner is ordered to repay to certain public relief agencies moneys by such agencies heretofore paid to former employees of the petitioner for work performed by them for such agencies during such time as they were not employed by the petitioner for the reason that such portions of said order are contrary to law, not supported by the evidence and beyond the jurisdiction of the Board, and constitute an abuse of discretion on the part of the Board.

58. The Board erred in those portions of its order by which the petitioner is ordered to pay to its former employees a sum of money equal to that which each of them would normally have earned as wages during the period from five (5) days after the date of application for reinstatement to the date of placement upon a preferential list for the reason that such portions of said order are contrary to law, not supported by the evidence

and beyond the jurisdiction of the Board, and constitute an abuse of discretion on the part of the Board.

59. The Board erred in making and issuing its order, its findings of fact and its conclusions of law for the reasons that are set forth in the petitioner's exceptions to the proposed findings of fact, proposed conclusions of law and proposed order, which exceptions (filed with the Board August 4, 1938) as applicable to the Board's decision and order of October 18, 1938, are by reference made a part of this petition for review the same as if set forth in full herein.

60. The Board erred in making and issuing its order, its findings of fact and conclusions of law for the reasons set forth in petitioner's exceptions to the rulings of the Board and the Trial Examiner upon motions, objections and offers to prove at the taking of evidence herein, which said exceptions (filed with the Board August 4, 1938) [illegible]e, by reference, made a part of this petition for review the same as set forth in full herein.

61. The Board erred in making and issuing its order and each and every part thereof, all and singular its conclusions of law and all and singular its findings of fact for the reason that said order and each and every portion thereof, said conclusions of law and said findings of fact are each and all contrary to law, not supported by the evidence nor by the record herein.

62. The Board erred in not giving to the petitioner, in response to its request therefor, information required by the petitioner so that it may adequately and properly protect the rights guaranteed to it in this case by the constitution of the United States, the National Labor Relations Act and any other laws applicable to this proceeding, such requested information being set forth and

described in detail in the petitioner's "Request to the Board for Further Information" heretofore filed with the Board August 4, 1938, and by reference made a part of this petition for review, the same as if set forth in full herein.

63. The Board erred in that it overruled and denied petitioner's motion (made a part hereof by reference) to reopen the record and admit specified additional evidence offered by petitioner, filed with said Board after the issuance by said Board of its proposed findings of fact, proposed conclusions of law and proposed order, which additional evidence was made particularly relevant and material by the issuance of said proposed conclusions of law and proposed order and proposed findings.

Wherefore, the petitioner prays:

(a) That a copy of this petition be forthwith served according to law upon said the National Labor Relations Board;

(b) That said National Labor Relations Board may be required, in conformity with law, to certify to this honorable court the transcript of the entire record in the proceedings wherein said order was entered;

(c) That said proceedings and the findings, conclusions, decision and order of the National Labor Relations Board herein be reviewed by this honorable court and that the decision and order be set aside, vacated and annulled and that the said National Labor Relations Board be ordered to dismiss its complaint against the petitioner;

(d) That this honorable court exercise its jurisdiction over the parties and the subject matter of this petition and grant to the petitioner all such other and further

relief in the premises as the rights and equities of the cause may require.

REPUBLIC STEEL CORPORATION,
Petitioner,
By W. W. HANCOCK,
Secretary.
DAY, YOUNG, VEACH & LEFEVER
By LUTHER DAY, by E. W. L.
THOMAS F. PATTON
RAWLE & HENDERSON,
Attorneys for Petitioner.
By JOSEPH W. HENDERSON.

Commonwealth of Pennsylvania,
County of Philadelphia, ss:

W. W. Hancock, being first duly sworn, deposes and says that he is Secretary of Republic Steel Corporation, petitioner above named; that he has read the foregoing petition and knows the contents thereof; that the statements therein contained are true as he verily believes.

W. W. HANCOCK.

Sworn to before me and subscribed in my presence this 20th day of October, 1938.

GEORGE M. BRODHEAD, JR.,
Notary Public.

My Commission Expires Jan. 19, 1939.
(Seal)

XXXV.

ANSWER OF THE NATIONAL LABOR RELATIONS BOARD TO PETITION TO REVIEW, AND REQUEST FOR ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD

(Filed in U. S. C. C. A. Nov. 14, 1938)

To the Honorable, the Judges of the United States Circuit Court of Appeals for the Third Circuit:

Comes now the National Labor Relations Board (hereinafter referred to as the Board) by J. Warren Madden, Chairman, and Edwin S. Smith and Donald Wakefield Smith, Members, and pursuant to the National Labor Relations Act (49 Stat. 449, c. 372, 29 U. S. C. A. Sec. 151, *et seq.*) files this answer and request for enforcement of an order of the National Labor Relations Board:

(1) The Board admits each and every allegation contained in paragraphs "1", "2", and "6" of the petition to review.

(2) With respect to the allegations contained in paragraphs "3" and "4" of the petition to review and with respect to such allegations contained in paragraph "5" of the petition to review as relate to proceedings had in said matter before the Board, the Board for a full and exact statement of the provisions of the charges, supplementary charges, complaint, answer, decision and order of the Board issued on April 8, 1938, order of the Board vacating and setting aside its order of April 8, 1938, proposed findings of fact, proposed conclusions of

law, and proposed order, petitioner's exceptions thereto, and decision of the Board issued October 18, 1938, including its findings of fact, conclusions of law, and order, and other proceedings had in said matter before the Board, prays reference to the certified transcript of the entire record of the proceedings before the Board, now on file in this Court herein.

(3) With respect to the allegations contained in paragraph "5" of the petition to review with reference to a certain petition for review filed by petitioner in this Court on April 18, 1938 and to the proceedings had before this Court in said matter and in the Supreme Court of the United States upon the petition for writs of prohibition and mandamus presented by the Board to said Court on May 13, 1938, the Board, for a full and exact statement of said proceedings had before this Court and before the Supreme Court of the United States in said matters, prays reference to the records on file in this Court in Case No. 6764, March Term, 1938, entitled *Republic Steel Corporation, Petitioner* v. *National Labor Relations Board, Respondent* and to official proceedings had in the Supreme Court of the United States in Case No. 21, Original, October Term, 1937, entitled *In the Matter of Petition of the National Labor Relations Board for a Writ of Prohibition and for a Writ of Mandamus,* of which this Court may take judicial notice. Further answering, the Board avers that each and every such allegation is irrelevant and immaterial to, and in no way affects or raises any issue concerning, the validity or enforceability of the order under review herein, and accordingly the Board neither admits or denies any of said allegations.

(4) With respect to the allegations contained in paragraph "5" of the petition to review with reference

to petitioner's request of the Board for information, the Board alleges that each and every allegation is immaterial, irrelevant, incompetent, and beyond the scope of judicial inquiry in the circumstances of this case.

(5) The Board denies each and every allegation contained in paragraph "7" of the petition to review and in subparagraphs "1" to "63" inclusive of said paragraph.

Wherefore, having duly answered each and every allegation contained in the petition to review, the Board prays this Honorable Court that said petition, in so far as it prays that the Board's order be set aside, vacated and annulled, be denied.

(6) Further answering, the National Labor Relations Board, pursuant to Section 10 (f) of the National Labor Relations Act, respectfully requests this Honorable Court for the enforcement of the order issued by the Board on October 18, 1938, in the proceeding instituted against petitioner, Republic Steel Corporation, which proceeding is designed on the records of the Boards as Case No. C-184, the title thereof being "In the Matter of Republic Steel Corporation and Steel Workers Organizing Committee."

In support of its request for the enforcement of said order the Board alleges:

(a) Petitioner is and at all times herein mentioned was a corporation organized under and existing by virtue of the laws of the State of New Jersey.

(b) By reason of the matter alleged in paragraph (a) hereof, this Court has jurisdiction of the petition herein by virtue of section 10 (f) of the National Labor Relations Act.

(c) A charge and supplementary charges having been filed by Steel Workers Organizing Committee, hereinafter called the S. W. O. C., with the Board, the Board, on July 15, 1937, issued a complaint in said Case No. C-184, alleging that petitioner had engaged and was engaging in certain unfair labor practices affecting commerce within the meaning of the Act. A hearing was noticed for July 21, 1937.

(d) Thereafter, on July 21 through 23, 1937, a hearing was held before the Board in Washington, D. C. Full opportunity to be heard, to examine and cross-examine witnesses and to introduce evidence bearing upon the issues was afforded all parties.

(e) Thereafter, petitioner filed an answer to said complaint, said answer being dated August 2, 1937.

(f) Thereafter, on August 3, 1937, the Board made an order designating John T. Lindsay Trial Examiner in all further hearings in said Case No. C-184.

(g) Thereafter, said hearing was continued before said Trial Examiner as follows: On August 9 through 12, 1937, in Canton, Ohio; on August 20, 21, 23 and 24, 1937, in Youngstown, Ohio; on August 27, 28 and 30, 1937, in Cleveland, Ohio; on September 1 through 3, 7 through 10, and 13 through 16, 1937, in Canton, Ohio; on September 17, 20 and 21, 1937, in Youngstown, Ohio; and on September 23 through 25, and 27, 1937, in Cleveland, Ohio. Full opportunity to be heard, to examine and cross-examine witnesses and to introduce evidence bearing upon the issues was afforded all parties. At the close of the hearing, said Trial Examiner granted Board counsel's motion to conform the pleadings to the proof.

(h) Thereafter, on January 21, 1938, petitioner filed

with the Board a motion for leave to introduce additional evidence or, in the alternative, to submit and have incorporated in the record an offer or offers of proof relative to the evidence so excluded. Thereafter, on March 19, 1938, the Board made an order granting in part and denying in part said motion. Thereafter, on March 28, 1938, petitioner, pursuant to said order, filed an offer of proof.

(i) Thereafter, on April 8, 1938, the Board issued certain findings of fact and conclusions of law and entered an order, directed to petitioner, its officers, agents, successors, and assigns.

(j) Thereafter, on April 18, 1938, petitioner filed with this Honorable Court a petition to review and set aside said order of the Board, referred to in paragraph (i) hereof.

(k) Thereafter, on June 14, 1938, the Board made an order vacating and setting aside the findings and order of April 8, 1938, referred to in paragraph (i) hereof, and directing that such further proceedings be taken before it as it might be advised to be necessary or desirable.

(l) Thereafter, on June 27, 1938, this Honorable Court made an order dismissing petitioner's petition to review and set aside, referred to in paragraph (j) hereof.

(m) Thereafter, on July 2, 1938, petitioner filed with the Board a motion to dismiss the complaint and an objection to further proceedings by the Board. Thereafter, on July 8, 1938, the Board made an order denying said motion and overruling said objection.

(n) On July 8, 1938, the Board made an order that proposed findings of fact, proposed conclusions of law and a proposed order be issued and that the parties have

the privilege of filing exceptions with the Board and briefs in support thereof and that a hearing be held before the Board for the purpose of oral argument upon any exceptions filed and upon the issues raised by the pleadings and evidence.

(o) Thereafter, on July 8, 1938, the Board issued proposed findings of fact, proposed conclusions of law and a proposed order.

(p) Thereafter, on July 22, 1938, Central Council of Steel Plants, Northern District, Republic Steel Corporation, filed with the Board a petition to intervene. Thereafter, on July 26, 1938, the Board made an order denying said petition.

(q) Thereafter, on August 6, 1938, petitioner filed with the Board exceptions and a brief in support thereof to said proposed findings of fact, said proposed conclusions of law and said proposed order.

(r) On August 6, 1938, petitioner filed with the Board a motion that the record be reopened for further proceedings and that it be permitted to introduce additional evidence or, in the alternative, that it be permitted to have incorporated in the record specified offers of proof.

(s) Thereafter, on August 9, 1938, the S. W. O. C. filed with the Board exceptions to said proposed findings of fact, said proposed conclusions of law and said proposed order.

(t) Thereafter, on August 11, 1938, a hearing was held before the Board in Washington, D. C., for the purpose of oral argument. Petitioner and the S. W. O. C. were represented by counsel, who argued the case before the Board. At said hearing, the S. W. O. C. filed with

the Board a brief in support of its exceptions referred to in paragraph (v) hereof.

(u) Thereafter, on October 18, 1938, the Board, being sufficiently advised in the premises and having duly considered the matter and being of the opinion, upon the entire record of and all proceedings had in said matter, including all the testimony, evidence, and argument, that petitioner had engaged and was then engaging in certain unfair labor practices affecting commerce within the meaning of the Act, denied petitioner's motion to reopen the record and for leave to introduce additional evidence, granted petitioner's alternative motion that specified offers of proof be incorporated into the record, and duly stated its findings of fact and conclusions of law and entered the following order, directed to respondent, its officers, agents, successors, and assigns.

ORDER

Upon the basis of the above findings of fact and conclusions of law, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board hereby orders that the respondent, Republic Steel Corporation, its officers, agents, successors, and assigns shall:

1. Cease and desist from:

(a) Dominating or interfering with the formation or administration of any labor organization of its employees or contributing financial or other support thereto;

(b) Discouraging membership in the Amalgamated Association of Iron, Steel and Tin Workers of North America or the Steel Workers Organizing

Committee or any other labor organization of its employees, by discharging and refusing to reinstate employees, or otherwise discriminating in regard to hire or tenure of employment or any term or condition of employment or by threats of such discrimination;

(c) In any other manner interfering with, restraining, or coercing its employees in the exercise of their rights to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid and protection as guaranteed in Section 7 of the Act.

2. Take the following affirmative action which the Board finds will effectuate the policies of the Act:

(a) Withdraw all recognition from the Plan of Employee Representation, and its successors—the Employees' Representative Association and the Independent Association of Republic Employees at Massillon; the Plan of Employee Representation, and its successors—the Employees' Representative Association, and the Steel Workers Union of America—and the Plan of Representation of Employees at Canton; the Plan of Employee Representation, and its successors—the Employee Representation Plan, and the Independent Federation of Republic Employees at Youngstown; the Plan of Employee Representation, and its successor—the Employees' Independent Association at Warren; the Plan of Employee Representation, and its successor—the Employees' Representative Association at Cleveland; the Central Council of Employee Representatives; and each of them, as the representatives of any of its employees at its plants in the

Massillon, Canton, Youngstown, Warren, Niles, and Cleveland districts, respectively, for the purpose of dealing with the respondent concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work; and completely disestablish the foregoing labor organizations as such representatives;

(b) Offer to Peter Mouyios, Victor Arias, Mike Ugranovich, Will S. Wright, Sabri Shaban, and George Troyanovich (group A); John Lazar, Michael Krill, Balaré Chismus, William A. Haren, Charles Neverdusky, Anthony Martin de Long, Richard Green, and Hallie P. Hite (group B), in the manner provided in the section entitled "The remedy" above, immediate and full reinstatement to their former or substantially equivalent positions without prejudice to their seniority and other rights and privileges; and make them whole for any losses of pay they have suffered by reason of the respondent's discriminatory acts, by payment to each of them, respectively, of a sum of money equal to that which each of them would normally have earned as wages during the period, in the case of group A, from the date of their lay-off or discharge until the date when the strike began, and again from the date on which operations in their departments began after the reopening of the plants involved to the date of the offer of reinstatement as provided herein, and in the case of group B, from the date of the refusal to reinstate until the date of the offer of reinstatement as provided herein; less the amounts, if any, which each earned during said period, deducting, however, from the amount otherwise due to each of the said employees, monies received by said employees during said periods for work per-

formed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, municipal, or other government or governments which supplied the funds for said work relief projects;

(c) Make whole Thomas Cikah, John Popik, Frank Pirichy, Michael Naletrich, Wilbert Neuman, (Group C); Thomas White, Charles Bernard Fagan, John Exall, John Petak, Mathew Babich, Gaetano Armeli, and Fred Korecky (Group D) for any losses of pay they have suffered by reason of the respondent's discriminatory acts, by payment to each of them, respectively, of a sum of money equal to that which each of them would normally have earned as wages during the period, in the case of group C, from the date of their discharge to the date of their offer of reinstatement prior to the strike, and in the case of group D, from the date of their lay-off or discharge until the date of the strike; less the amounts, if any, which each earned during said period, deducting, however, from the amount otherwise due to each of the said employees, monies received by said employees during said periods for work performed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, municipal, or other government or governments which supplied the funds for said work relief projects;

(d) Make whole the employees of the Canton tin plate mill who were employed on May 4, 1937, for any loss of pay they have suffered by reason of the closing of the Canton tin plate mill on May 5,

1937, by payment to each of them, respectively, of a sum equal to that which each of them would normally have earned as wages during the period from May 5 to May 24, 1937, less the amount, if any, which each has earned during said period;

(e) Make whole the employees of the Massillon Works, who were employed on May 19, 1937, for any loss of pay they have suffered by reason of the closing of the Massillon Works on May 20, 1937, by payment to each of them, respectively, of a sum which each of them would normally have earned as wages during the period from May 20 to May 23, 1937, less the amount, if any, which each has earned during said period;

(f) Upon application, offer to those employees at its plants in the Canton, Massillon, Youngstown, Warren, Niles, and Cleveland districts, (including those referred to as groups C and D in paragraph 2 (c) above), who went on strike on May 25, 1937, and thereafter, (except Charles Byers, Sidney Watkins, A. C. Scott, John Borawiec, George A. Bundas, Andrew J. Marsh, Mike Spelich, Herman Herzog, Jesse Rentario (Runtario), Pete Vasleo, and Omar Williams), immediate and full reinstatement to their former or substantially equivalent positions without prejudice to their seniority or other rights or privileges, in the manner provided in the section entitled "The remedy" above; and place those employees for whom employment is not immediately available upon a preferential list in the manner set forth in said section, and thereafter, in said manner, offer them employment as it becomes available;

(g) Make whole all the employees referred to

in paragraph 2 (f) above for any losses they may suffer by reason of any refusal of reinstatement or placement upon the preferential list required by paragraph 2 (f) above by payment to each of them of a sum of money equal to that which each of them would normally have earned as wages during the period from five (5) days after the date of application to the date of offer of reinstatement or placement upon the preferential list, less the amount, if any, which each, respectively, earned during said period, deducting, however, from the amounts otherwise due to each of the said employees, monies received by said employees during said period for work performed upon Federal, State, county, municipal or other work relief projects; and pay over the amounts, so deducted, to the appropriate fiscal agency of the Federal, State, county, or municipal or other government or governments which supplied the funds for said work relief projects:

(h) Post immediately in conspicuous places in its plants in the Canton, Massillon, Youngstown, Warren, Niles, and Cleveland districts, and maintain for a period of at least sixty (60) consecutive days, notices to its employees stating that the respondent will cease and desist in the manner aforesaid and that recognition is withdrawn from the labor organizations named in paragraph 2 (a) above as representatives of any of the employees for the purpose of dealing with the respondent concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work, and that the foregoing labor organizations are completely disestablished as such representatives;

(i) Notify the National Labor Relations Board in writing what steps the respondent has taken to comply with the Order herein.

And it is further ordered that the allegations of the complaint with respect to the discharge and refusal to reinstate Harry Rigby be, and they hereby are, dismissed.

(v) Thereafter, on October 18, 1938, the decision and order herein was duly served upon respondent, and said decision and order is in full force and effect.

Wherefore, the Board prays this Honorable Court that it deny the petition to set aside the Board's order, and that it grant the request made herein for the enforcement of its order of October 18, 1938, set forth in paragraph (v) hereof and, pursuant to section 10(f) of the National Labor Relations Act, has certified and filed with this Court a transcript of the entire record in the proceedings before the Board, including the pleadings, testimony and evidence, findings of fact, conclusions of law, and order of the Board.

The Board prays this Honorable Court that it cause notice of the filing of this answer and request for enforcement and of the filing of the transcript to be served upon petitioner and that this Court take jurisdiction of the proceedings and of the questions determined therein and make and enter upon the pleadings, testimony and evidence and the proceedings set forth in the transcript and upon the order made thereupon a decree denying in whole the petition to set aside and enforcing in whole said order of the Board and requiring petitioner, its officers,

agents, successors, and assigns to comply therewith.

J. WARREN MADDEN,
Chairman,
EDWIN S. SMITH,
Member,
DONALD WAKEFIELD SMITH,
Member,
National Labor Relations Board.

Dated at Washington, D. C., this 10th day of November 1938.

CHARLES FAHY,
General Counsel.

District of Columbia, ss:

J. Warren Madden, Edwin S. Smith and Donald Wakefield Smith, being first duly sworn, state that they constitute the National Labor Relations Board; that they have read the foregoing petition subscribed by them and have knowledge of the contents thereof; and they further on oath say that the statements made therein are true to the best of their knowledge and belief.

J. WARREN MADDEN,
Chairman,
EDWIN S. SMITH,
Member,
DONALD WAKEFIELD SMITH,
Member.

Subscribed and sworn to before me this 10th day of November 1938.

John E. Lawyer,
Notary Public, Dist. of Columbia.

My commission expires September 8, 1939.
(Seal)

XXXVI.

ANSWER AND REPLY OF REPUBLIC STEEL CORPORATION, PETITIONER, TO ANSWER OF RESPONDENT AND REQUEST OF RESPONDENT FOR ENFORCEMENT OF ORDER OF THE NATIONAL LABOR RELATIONS BOARD

(Filed in U. S. C. A. Dec. 2, 1938)

To the Honorable, the Judges of the United States Circuit Court of Appeals, for the Third Circuit:

The answer and reply of Republic Steel Corporation, petitioner, to the answer of respondent and the request of respondent for enforcement of the order of the National Labor Relations Board of October 18, 1938, respectfully shows and alleges:

1. Petitioner denies each and every allegation contained in paragraphs 1, 2, 3, 4, and 5 of said answer, except such averments thereof as admit the truth of the averments of the petition for review herein, or pray reference to the certified transcript of the record of the proceedings before the National Labor Relations Board herein and the files in this honorable Court, in case No. 6764, March Term, 1938, entitled "Republic Steel Corporation, Petitioner, vs. National Labor Relations Board, Respondent", and the official proceedings had in the Supreme Court of the United States in case No. 21, original, October Term, 1937, entitled "In the Matter of Petition of National Labor Relations Board for a Writ of Prohibition and a Writ of Mandamus."

2. Petitioner, by way of answer and reply to respondent's request of the enforcement of the order of the National Labor Relations Board of October 18, 1938, admits

the averments of paragraphs a, b, and c of respondent's request for enforcement.

3. Petitioner admits the averments of paragraphs d, e, f, g, h, i, and j of respondent's request for enforcement, except that petitioner avers: that it never was afforded, as to the charges made against it in the complaint herein, a hearing before the National Labor Relations Board in accordance with the law of the land and the usual and accepted rules of procedure and as guaranteed to it by the Fifth Amendment to the Constitution of the United States; that counsel for the Board has not filed any pleading herein conforming or seeking to conform the pleadings herein to the proof herein; that, on April 8, 1938, the Board issued its final decision and order herein, entitled "Decision and Order."

4. Petitioner admits that, on June 14, 1938, the Board made an alleged order purporting to vacate and set aside its decision and order of April 8, 1938, as is alleged in paragraph k of the respondent's request for enforcement, but petitioner avers that the Board was altogether without any jurisdiction, authority or power whatsoever to make said alleged order or to set aside its decision and order of April 8, 1938.

5. Petitioner admits the averments in paragraphs l and m of respondent's request for enforcement.

6. Petitioner admits that, on July 8, 1938, the Board purported to make an alleged order, as described in paragraph n, and, on the same day, purported to issue alleged proposed findings of fact, proposed conclusions of law, and a proposed order, as described in paragraph o of respondent's request for enforcement, but petitioner avers that the Board was altogether without any jurisdiction, authority or power to make said alleged order and/or to issue said proposed findings of fact, proposed conclusions of law and proposed order.

7. Petitioner, on information and belief, admits the averments of paragraph p of respondent's request for enforcement.

8. Petitioner admits that, on August 6, 1938, it filed with the Board its exceptions, and a brief in support thereof, to the Board's alleged proposed findings of fact, proposed conclusions of law, and proposed order, as described in paragraph q of respondent's request for enforcement; that, on the same day, petitioner filed with the Board a motion that the record be reopened for further proceedings etc., as described in paragraph r of respondent's request for enforcement; and petitioner avers that in filing said exceptions and motion before the Board, petitioner expressly preserved and asserted all of its objections and exceptions to the jurisdiction of the Board in the premises.

9. Petitioner, on information and belief, admits the averments of paragraph s of respondent's request for enforcement.

10. Petitioner admits that, on August 11, 1938, counsel for petitioner appeared before the Board and submitted an oral argument in support of its exceptions to the Board's alleged proposed findings of fact, proposed conclusions of law and proposed order of July 8, 1938; but the petitioner avers that such appearance and argument of counsel before the Board did not constitute the affording of a hearing by the Board to petitioner in accordance with the law of the land and the usual and accepted rules of procedure and as guaranteed to it by the Fifth Amendment to the Constitution of the United States; petitioner, upon information and belief, admits that the S. W. O. C. filed with the Board a brief in support of its exceptions to the proposed findings of fact, proposed conclusions of law and proposed order of the Board of July 8, 1938.

11. Petitioner admits that, on October 18, 1938, the

Board denied petitioner's motion to reopen the record and for leave to introduce additional evidence, granted petitioner's alternative motion that specified offers of proof be incorporated into the record, purported to state alleged findings of fact and alleged conclusions of law, and purported to enter an alleged order, substantially as set forth in paragraph u of respondent's request for enforcement; petitioner avers that the Board was altogether without any jurisdiction, authority or power whatsoever to make and enter said alleged findings of fact, conclusions of law and order; petitioner, for want of information, denies that such alleged findings, conclusions and order were made and entered by the Board herein only after due consideration of the matter by the Board and upon the entire record before it, including all of the testimony, evidence and argument therein contained.

12. Petitioner admits that, on or about October 18, 1938, the alleged decision and order of the Board was served upon petitioner, but denies that said decision and order is, ever was, or ever could be in full force and effect or of any validity whatever in law.

13. Petitioner, by way of further answer and reply to the respondents answer and request for enforcement, avers that said order so sought to be enforced by the Board, for each and all of the reasons set forth in the petition for review herein (Par. 7, subdivisions 1-63, inc.) is altogether invalid, void, and of no legal effect whatsoever; and the petitioner adopts in this regard, each and all of the averments of said paragraph 7, subdivisions 1-63, inc., with the same force and effect as if set forth in full herein.

Wherefore, petitioner, having made answer and reply to respondent's answer and request for enforcement, prays this Honorable Court to dismiss and hold for naught the

request of the National Labor Relations Board herein for the enforcement of the alleged order of the National Labor Relations Board; to set aside, vacate and annul said alleged order of the National Labor Relations Board, and to dismiss the complaint herein against this petitioner, as is prayed for in its petition for review herein.

REPUBLIC STEEL CORPORATION,
Petitioner,
By W. W. HANCOCK,
Secretary.

DAY, YOUNG, VEACH & LEFEVER
By LUTHER DAY
THOMAS F. PATTON
MORTIMER S. GORDON
RAWLE & HENDERSON
By JOSEPH W. HENDERSON,
Attorneys for Republic Steel Corporation, Petitioner.

State of Ohio,
Cuyahoga County, *ss:*

W. W. Hancock, being first duly sworn, deposes and says that he is Secretary of Republic Steel Corporation, petitioner herein; that he has read the foregoing answer and reply of petitioner; that the statements therein are true as he verily believes.

W. W. HANCOCK.

Sworn to before me and subscribed in my presence this 28th day of November, 1938.

WM. B. BELDEN,
Notary, Public, Cuyahoga County, Ohio.

My Commission Expires Jan. 3, 1939.
(Seal)

XXXVII.

ORDER ALLOWING EMPLOYEES OF UPSON DIVISION OF REPUBLIC STEEL CORPORATION TO INTERVENE

(Filed in U. S. C. C. A. Dec. 17, 1938)

This cause came on to be heard this 12th day of December, 1938 upon the motion of the one hundred fifty (150) employees of the Upson Division of the Republic Steel Corporation for leave to become intervening parties herein and for interlocutory relief, the petitioner, the Republic Steel Corporation and the respondent, the National Labor Relations Board, being in Court, and upon due consideration thereof the said motion is granted so far as to permit the petitioners to become intervening parties herein, and they are hereby given leave to file their petition herein.

And the said motion is continued for hearing as to the matter of interlocutory relief.

J. WARREN DAVIS,
Judge.

JOHN BIGGS, JR.,
Judge.

JOSEPH BUFFINGTON,
Judge.

JOSEPH W. HENDERSON,
Atty. for Petitioner.

Approved:

HORAN AND BELL
By R. S. HORAN,
Attys. for said employees of Upson Division, Republic Steel Corp.
ROBERT B. WATTS,
Atty. for respondent

XXXVIII.

ORDER ALLOWING STEEL WORKERS ORGANIZING COMMITTEE TO INTERVENE

(Filed in U. S. C. C. A. Dec. 13, 1938)

And now, this 13th day of December, 1938, upon consideration of the Petition of the Steel Workers Organizing Committee for Leave to Intervene as a party respondent in the above entitled cause, it is hereby ordered that the said petitioner be and it is hereby allowed to intervene in the above entitled cause, as prayed for.

By the Court,
J. WARREN DAVIS, *J.*

XXXIX.

ORDER ALLOWING CENTRAL COUNCIL OF STEEL PLANTS, NORTHERN DISTRICT, REPUBLIC STEEL CORP. TO INTERVENE

(Filed in U. S. C. C. A. Dec. 23, 1938)

Upon consideration of the petition of the Central Council of Steel Plants, Northern District, Republic Steel Corporation, for leave to intervene as a party petitioner in the above entitled cause,

It is hereby ordered that the said petitioner be, and it hereby is allowed to intervene in the above entitled cause, as prayed for.

J. WARREN DAVIS
JOHN BIGGS, JR.,

Circuit Judges.

Philadelphia,
December 23, 1938.

XL.

EXHIBITS

BOARD'S EXHIBITS

BOARD'S EXHIBIT NO. 1

ORDER EXTENDING TIME TO ANSWER

An application having been made by the Republic Steel Corporation, respondent herein, for an extension of time to file an answer or motion to the complaint heretofore issued herein, and the Board having considered the matter and being advised in the premises,

It is ordered that the time of the Republic Steel Corporation to file an answer or motion to the complaint herein be and it is hereby extended to and including August 4, 1937.

By direction of the Board:

Benedict Wolf,
(Seal) Secretary.

BOARD'S EXHIBIT NO. 1c

COMPLAINT AND NOTICE OF HEARING

(Printed on pages 13-25, inclusive.)

BOARD'S EXHIBIT NO. 1d

SUPPLEMENTARY CHARGE—YOUNGSTOWN

(Printed on pages 7-9, inclusive.)

BOARD'S EXHIBIT NO. 1e

SUPPLEMENTARY CHARGE—WARREN

(Printed on pages 10-12, inclusive.)

BOARD'S EXHIBIT NO. 1f

UNITED STATES OF AMERICA
Before the National Labor Relations Board
At a regular meeting of the National Labor Relations Board held at its office in the City of Washington, D. C., on the 18th day of June, 1937

Present:
J. Warren Madden, Chairman
Donald Wakefield Smith
Edwin S. Smith

In the Matter of
Republic Steel Corporation
and
Steel Workers Organizing Committee

Case No. C-184

ORDER PERMITTING FILING OF CHARGE WITH BOARD
(Docketed June 21, 1937)

A charge having been transmitted to the National Labor

Relations Board, at Washington, D. C., by Steel Workers Organizing Committee, charging that the Republic Steel Corporation has engaged in and is engaging in unfair labor practices affecting commerce within the meaning of the National Labor Relations Act, approved July 5, 1935, and the said Steel Workers Organizing Committee having requested on June 18, 1937 that the National Labor Relations Board permit such charges to be filed with it in Washington, D. C., pursuant to its Rules and Regulations—Series 1, as amended, Article II, Section 37,

And the Board deeming it necessary in order to effectuate the purposes of the said Act, to permit said charge to be filed with it in Washington, D. C., permission to file said charge with the National Labor Relations Board in Washington, D. C., at its offices at 1010 Vermont Avenue in the said City, is hereby granted.

By direction of the Board:

Benedict Wolf,
(Seal) Secretary

BOARD'S EXHIBIT NO. 1g

ORIGINAL CHARGE

(Printed on pages 1-6, inclusive.)

BOARD'S EXHIBIT NO. 1h

ANSWER OF RESPONDENT, REPUBLIC STEEL CORPORATION

(Printed on pages 26-36, inclusive.)

BOARD'S EXHIBIT NO. 2

PETITION

To the Honorable Henry W. Krier, Mayor of Massillon;
To Stanley W. Switter, Chief of Police of Massillon, and
To Joseph T. Nist, Sheriff of Stark County:

The undersigned representatives and citizens of Massillon hereby respectfully demand the immediate establishment of law and order in this city and in the strike area. We do not seek to break the existing labor strike, nor do we seek to force any employer to sign a labor contract. We demand that law and order be restored in Massillon, regardless of the labor controversy. We demand that the life and property of citizens, employees and employers alike, be protected by established constituted authority. We demand that safety in Massillon be preserved to all parties, directly or indirectly concerned.

However worthy or unworthy the objective, we demand that such objective be accomplished within peaceful means. The first weakness in law enforcement leads rapidly to serious violence in which property, life, and the well-being of the city suffer serious consequences.

Without specific indictment as to the responsibility therefor, private property in Massillon is no longer inviolate, destruction of private property has taken place with impunity, acts of vandalism have already occurred, telephone cables have been cut, explosives have been transported about the city, and dynamiting has been resorted to, the right of peaceful assembly and petition has been denied, men armed with clubs have forcefully restrained entrance of workers and others to plants, delivery of mail

has been interrupted, affrays have occurred upon the streets, citizens have been searched and other citizens have been dragged from their homes and beaten, and the general safety of this city is in peril. A condition of riot, disorder, and bloodshed is encouraged by any failure to maintain law and order, and this condition is daily threatening to extend a reign of terror over the city which might disorganize and destroy the corporate government itself. The inalienable right to life, liberty, and the pursuit of happiness has been infringed.

Under the provisions of Section 4250 of the General Code of Ohio, the mayor is constituted the chief conservator of the peace of the city. Under Section 4373 of the General Code of Ohio, the mayor is authorized to employ sufficient additional patrolmen during the period of the emergency. The Supreme Court of Ohio, in Youngstown v. Bank, 106 o. s. 563, stated that during such emergency the provisions of the Burns Act, (now G. C. 5626-33) requiring certification of funds, etc., does not apply but the mayor is permitted to borrow the money to pay such patrolmen, and further held the payment of 62½ cents per hour reasonable compensation therefor.

The admissions of the Mayor and Police Chief of their inability to cope with the present situation creates such emergency. As stated by the court in 106 o. s. 563, "like a storm in the night season" this condition "broke swiftly and suddenly upon the city unprepared to meet the situation; a real emergency had arisen which called for all available resources of the city to control it."

A committee representing the interests of law and order in Massillon has received the assurance of the Mayor and the Chief of Police of Massillon of their willingness to maintain law and order in this city. This committee offered to guarantee to such officials the necessary finances and

man-power for the establishment of law and order and the preservation of peace.

Recent statements and announcements from the officials charged by law with the duty of preserving peace within the city are indicative of an intention to continue to disregard the present emergency. The fact that the strike area is located partly within the city limits and partly without, does not afford any excuse for the shifting of responsibility between the city and county officials charged with the duty of law enforcement. Section 2833 of the General Code of Ohio makes the sheriff the chief law enforcement officer in the county, including all municipalities. The Supreme Court of Ohio In Re: Sulzmann, Sheriff, 125 o. s. 594 has affirmed this observation:

> "In municipalities the sheriff and the mayor stand on an equality as law enforcement officers so far as State laws are concerned, and neither is permitted to cast on the other the burden of action. Failure or refusal of the mayor to act does not excuse the sheriff." —29 O. N. P. N. S. 92.

It is the duty not only of the mayor, but also of the sheriff of the county, to maintain the peace within the municipality, and to prevent riots and unlawful assemblies therein. (Niles-Bement-Bond Co. v. Iron Moulders' Union, 246 Fed. 851).

Section 2830 of the General Code of Ohio expressly authorizes the sheriff to appoint all necessary deputies to meet this emergency.

G. C. 12811 requires the sheriff to disperse unlawful assemblies and to call to his aid for such purpose the citizens, and G. C. 6280 makes the county civilly liable in damages from mob assaults. (11 Ohio Appeals 111).

We demand such cooperation between the city and

county officials as is necessary to establish law and order in this strike area as the most effective means of discharging their respective duties.

To the end that the inalienable rights of men, women, and children of Massillon be safe and secure, and that Massillon be established as a safe place in which to live, work or operate, demand is hereby made that complete law and order be restored in this city forthwith, not only by assurances, but by such action as the Constitution and the Statutes enjoin.

We believe that every American citizen, either laborer or capitalist, will subscribe to these principles.

Massillon Welfare Federation, By J. H. Klinge, Treas.
Pearl J. Harrison, Pres. Massillon Woman's Club
Helen Snyder
Fannie R. Portz
Hilda Silk, Secretary
Mildred Gregory
Ruth Brown, Treasurer.

The Board of Trustees of the Y. W. C. A.
Harriet C. Holston
Gertrude Bell
Alyce M. Lahr
Vera L. Sturgin
Lota A. Evans
Gretchen Stults
Mrs. E. G. Bowers
Mrs. George Textor
Mrs. Hattie B. Williams
Vera M. Sipp
Bertha M. Martin, General Secretary
Clara A. Stover

Harriet Davis
Rella Herman, Business Sect'y
Fern Fergus, Cafeteria Director.

Signed, The Massillon Kiwanis Club,
By G. K. Fishpaw, Pres.
James B. Hall, V. Pres.
Manly Clark, Sec.

Approved by the following Board of Directors,
R. J. Evans
H. G. Shutts
C. R. Roby
J. A. Shaidnagle
C. J. Duncan
Howard J. Smith

H. L. McLain
L. F. Milligan
F. B. Milligan
Miss Lena Frederick
Charlotte Willenborg
Lee Willenborg
H. H. Albrecht

The Board of Lady Managers of the Massillon City Hospital,
Corinne B. Pocock, President
Estaiene M. DePeltquestangue, Secretary
Mary E. Snyder (Mrs. F. H.)
Daisy L. Gossett (Mrs. J. S.)
Effie A. Ross
Bessie B. McLain
Anna Clark (Mrs. C. H.)
Catherine M. Sonnhalter
Florence D. Crawford
Mrs. E. R. Albrecht

Mrs. L. V. Beamer
Mrs. C. H. Meek

Geo. N. Wenger
Paul A. Paulson
Jeannette C. Miller
H. W. Bell
R. J. Pumphrey
M. E. Scott
R. H. Clunk
J. D. Holston
L. B. Zintsmaster
J. J. South
J. S. Williams
D. D. Shontz
J. A. Carnes
R. Winter Frankmann, M. D.
C. E. Smith
C. H. Meek
L. V. Beamer
A. W. Tschan
A. W. Inman
G. K. Fishpaw

Notation added by American Legion.

A motion was duly made and seconded that we enter into this petition believing that it sets forth the duties of our law enforcement officers, asking that they carry out their duties, and because this petition does not take issue with the questions involved between employers and employees.

The Executive Committee of Massillon Post No. 221, The American Legion,
By T. W. Brown, Chairman.

Board of Directors of Massillon Rotary Club,
A. A. Ulrich, Pres.

G. D. Lanham
Clarence P. Spuhler
B. J. Kreigh
C. E. Boyd
G. B. Sheers
W. R. Sparks
Ira Robinson
A. W. Inman
J. O. Reigle
H. P. Croxton
Frank E. Hess
E. P. Thomas
L. V. Beamer
C. Hershey Meek
C. J. Good
J. G. Lester
H. S. Zepp
W. O. Rider
L. P. Kemp
C. S. Palmer
J. E. Klinge
O. W. Show
R. R. Reynolds
C. D. Rian
Seth Hattery
H. S. Myers
J. V. Stewart
R. J. Ballinger
Edw. Meadow
W. B. Malloy
Dr. C. E. James
Julius H. Pinhard
E. S. Craig
R. W. Croyle
J. R. Dowling
S. S. P. Barnes.

W. A. Barton, Pres. Mass. Auto Club

Clarence P. Spuhler, V. Chairman Retail Trade Division, Mass. Chamber of Commerce,
P. E. Quigley, Retail Sec.

A. W. Tschan, Pres. Mass. Gro. & Meat Dealers Asso.

The Massillon Chamber of Commerce
P. J. Bordner, Pres.
D. W. Case, Sec.

J. G. Lester

Salvation Army Board Members
J. G. Lester, Chairman of Board
Major L. M. Pervier
Mrs. Major L. M. Pervier
Arthur G. Hyde
Homer M. Johns
Mrs. E. A. Griffiths
Elizabeth Allman Simonetta
W. A. Barton
W. L. Kerstetter
C. M. Shafer
Jacob Von Gunten
D. W. Case
Ernest E. Bates
W. H. Crawford
Walter T. Sorg
E. W. Pierce
F. A. Ceckler
F. J. Smith
J. M. McConnell
T. W. Brown
E. E. Bailey
Chas. E. Wagoner

D. D. Gensemer
W. E. Snyder
Oscar W. Bammerlin
Thomas Burd
S. Robert Weirich

The Massillon City Hospital
J. G. Lester, President
R. P. L. McLain, Secretary
J. B. Burton, Superintendent

The Young Men's Christian Ass'n of Massillon, O.
Per C. O. Finefrock, Pres.
J. W. Goodnough, General Secretary
Trustees: P. J. Bordner
L. V. Beamer
L. P. Kemp
John R. Tracey
A. L. Shattuck
D. D. Gensemer
James E. Willison
A. A. Hammersmith
C. W. Portmann
H. L. McLain
Alvin D. Wampler

The Y's Mens Club of Massillon
By a unanimous vote of the Board of Directors.

The First Savings & Loan Co.
Per Chas. G. King, Pres.
Per Arthur T. Ellis, Secy.

The Massillon Ministers Ass'n
E. E. Engle, President
J. W. Goodnough, Secretary

C. B. Hess
Bertha M. Martin
J. E. Comer
M. J. Alpers
C. A. Miller
A. D. Laman

Massillon Area Council, Boy Scouts of America, Executive Committee
By T. W. Brown as Pres.
W. E. Snyder, Vice Pres.
Ira Robinson, Secy.
L. B. Smith
H. P. Croxton
L. V. Beamer
H. S. Zepp
C. H. Whitman
C. R. Hoggem
G. D. Underwood
P. A. Paulson
Fred W. Gates
Lionel F. Ashbolt
Paul E. Gilmer

First National Bank in Massillon
By Grant D. Esterling, Exec. Vice-Pres. and Cashier
By P. L. Hunt, Vice President

The City Loan
Homer H. Walsh, Mgr.

Inland Loan Company
R. J. Pumphrey, Secretary

The State Bank Co.
By H. J. Ledegar, Secretary

The Ohio Merchants Trust Co.
By the Executive Committee

The Y's Men's Club of Massillon
By a unanimous vote of the Board of Directors

The First Sav. & Loan Co.
Chas. E. King, Pres.
Arthur T. Ellis, Secy.

The Peoples Bldg. & Loan Co.
C. O. Finefrock
D. D. Gensemer
B. E. Payne
H. A. Yepsen
R. M. Erlanger
C. J. Duncan
J. E. Akin
J. L. Fromholtz
B. A. Landon
E. O'Brien
H. H. Ream
Fred Blatz
W. L. Pietzcker
Walter T. Sorg
Massillon Urban League

BOARD'S EXHIBIT NO. 3

No. 8890, William M. Thomas, 936 Amherst rd. N. E., Massillon, 3093.
No. 8811, Richard Lerch, Canal Fulton, 2181.
No. 9014, Ray Dailey, Navarre.
No. 8801, Walter F. Dretke, 2805 Lincoln Way East, Massillon, 4910.
No. 8903, F. Aeschbacker, R. D. No. 2, Hartville.

No. 8854, Edwin G. Corbett, 1121 Tremont S. W., Massillon, 6010.
No. 8930, Homer Lawrence, 445 Oak, Massillon, 7437.
No. 8852, William Lafferty, 927 Camden Ave. S. W., Canton, 28974.
No. 8977, F. S. Bearkheimer, 163 Claramont N. W., Canton, 28245.
No. 8803, S. A. Butterfield, 1540 Walnut S. W., Massillon, 6614.
No. 8917, N. J. Snyder, 717 6th. S. W., Massillon, 3623.
No. 5960, Forest. D. Seese, 17th. S. W., Massillon.
No. 8878, Robert C. Snyder, 1026 Bennington N. E., Massillon, 6410.
No. 9017, John H. Staugh, R. D. No. 1, Massillon, 9493.
No. 8984, William McAllister, 826 12th. S. W., Massillon, 3388.
No. 8716, George McCloud, Canal Fulton, 2644.
No. 5950, John J. Kelleher, 745 Erie N., Massillon, 5361.
No. 9007N, Nelson Henderson, 743 Sunset Pl. S. E., Massillon, 3728.
No. 8900, Clyde H. Havens, 317 1st. N. E., Massillon.
No. 5975, Jesse Hollinger, R. D. No. 3, Massillon, 9191.
No. 5977, Herbert Floyd, 811 Lincoln E., Massillon, 3072.
No. 2095, H. P. Conklin, Navarre, Navarre 2021.
John Holben, 7524, 215 Commonwealth Ave., Phone 5181 & 7139.
Virgil Hornberger, 7843, RFD No. 1, Massillon.
Ernest Smith, 8191, 819 14th St. S. W.
Gottlieb Dommer, 7231, 969 Lincoln Way W.
Dale Krieger, 7581, 216 15th St. N. W., Phone 7884.
Rus. Shanabrook, 9193, 721 9th St. S. W.
John Montgomery, 7336, 223 Maple Ave. S. E., Phone 7746.
D. L. Kettler, 8320, 731 23rd St. N. W.
Wm. Wyles, 7943, RFD No. 2, Canton, Phone 99349 Canton.
Arthur Kemp, 7834, 723 Erie St. N., Phone 3277.

Roger McGinnis, 8217, 815 Irvington, Phone 4667.
Joe Mertes, 7317, E. Greenville.
Spencer Brockway, 8223, 13 State Ave., N. W.
Herbert Hose, 6702, 808 State Ave. N. E.

(Handwritten Notation):

July 13, 1937.

On Tuesday P. M., July 6th, Supt. Ralph E. Peppard, 1219 11th St., N. E. Mass. and Perry Angstadt, 403 18th St., N. E. Mass., brought in this list of names and s'd that if the Chf Pol. wanted them he c'd have them as long as he wanted them.

L. Hunt.

BOARD'S EXHIBIT NO. 4

Hawk, DeWitt S., 2313½ Main Ave. West.
Hollwager, Woodrow, Phone 5634, 137 24th St., S. E.
Patterson, Doyle S., Phone 5330 Call, 759½ Erie St. South.
Martin, Frank, Phone 3041, 447 17th St., N. W.
McAllister, Wm. H., Phone 3388, 826 12th St., S. W.
Widing, John O., RFD No. 2, Massillon.
Kelleker, John J., Phone 5361, 745 Erie St., North.
Wehrle, H. E., 715 Yale Ave., N. E.
Long, Clifton I., 1004 Main Ave., West.
Snyder, Robert M., Phone 5737, 1026 Bennington Ave., N. E.
Aeschbacher, Fred, Phone 5737, 1026 Bennington Ave., N. E.
Fultz, Frank, Phone 3636, No. 25 Avon Apts., 2nd & Oak, S. E.
Dretke, Walter E., Phone 4910, 2805 Lincolnway, East.
Lawrence, Homer, Phone 7437, 445 Oak Ave. S. E.

Renshaw, Frank, 309 Lincolnway West.
Smith, Ernest, Phone 803, 14th St. S. W.
Holben, J. T. Jr., Phone 7139, 215 Commonwealth Ave. N. E.
Ketler, D. L., 731 32nd St. N. W.
Hose, H. J., Phone 3934, 808 State Ave. N. E.
Hornberger, Virgil, Phone 9297, 816 17th St., S. W.
Dommer, Gottleib E., 969 Lincolnway N. W.
Perdew, Charles, Phone 6757, 526 6th St. S. W.
Roehlig, T. W., Phone 6535, 104 9th St. N. E.
Hemperly, E. V., Phone 6219, 1008 8th St. N. E.
Holt, Walter, Phone 7381, Rear 711 11th St N. E.
Kreiger Dale, Phone 7884, 216 15th N. W.
Henderson, Wm. F., Phone 4714, 62 2nd St. S. E.
Hodge, Tom, Phone 7139, 215 Commonwealth Ave. N. E.
Reed, Morehead, Phone 7003, 102 Woodland Ave.
Switter, Stanley, Phone 6461, 313 1st. St. N. E.
Brady, Daniel, Phone 5082, 830 8th St. N. E.
Smith, Robert E., Phone 3878, 1105 Wellman Ave. S. E
Getz, Harry, Phone 5997, 315 Rose Ave. S. E.
Kromer, Anthony, Phone 8757, 504 Chestnut Ave. N. E.
Fellabom, William, 518 Lincolnway West.
Moore, Wilbur, Phone 6829, 2615 Lincolnway East.
Swertfeger, Charles, Phone 6957, 426 Cherry Rd. N. W.
Fritz, David, Phone 8131, 831 Lantzer Ct. N. E.
Woods, Frank, 920 6th St. S. W.
Mantsch, George, Phone 4450, 1517 Almond Pl. S. E.
Smith, Royal E., 3242 Lincolnway N. W.
Ickes, Ora., Phone 7493, 1009 Rotch Ave. N. E.
Johnson, Russell, 4843, 425 9th St. N. E.
Slinger, Joseph, Rear 1223 Main Ave. West.
Pettit, John T., Phone 7024, 313 1st. St. N. E.
Kelley, Leo, Phone 3229, 219 Rose Ave. S. E.
Brown, Carl, 327th St. S. W.
Kraft, Austin, Phone 5523, 2835 Lincolnway N. W.
Packer, Lee J., Phone 4331, 235 14th St. S. W.

Slinger, James, 948 Tremont Ave. S. W.
Cordes, Lee F., Phone 4818, 854 Campbell Circle N. E.
Marks, Paul, Phone 4763, 810 South Ave. S. E.
Davenport, C. A., Phone 3324, 826 Mathias St., N. E.
Hise, Robert T., Phone 6454, 217 Chestnut St. N. E.
Jacobs, Harold A., Phone 5274, 29 Houston St. S. W.
Stenger, John F., Phone 3159, 131 Tremont S. E. YMCA
Buttermore, Stanley E., Phone 6730, 1621 Byron Ave. S. W.
Schnierle, Maurice, Phone 6871, 707 Euclid Ave. S. W.
Fox, Adrian E., Phone 8244, 428 1st St. S. E.
Schimki, Louis, Phone 3159, 131 Tremont S. E. YMCA
Longworth, LaVerne, 720 Amherst Rd. N. E.
Kurtz, Wm. E., Phone 9402, Navarre, Ohio.
Blanchard, C. R., Phone 4576, 1418 Main Ave. West.
Brogden, James, 1016 Main Ave. West.
Molinski, Ed, 405 Cherry Rd. N. W.
Simon, Carl, 817 Erie St. South.

BOARD'S EXHIBIT NO. 5A

Hon. Henry W. Krier:
Mayor of of Massillon—

Many hundreds of us want to go to work. Several thousand more of us citizens and voters want them to go to work; we are prevented from working due to you, as Mayor, not protecting us from the lawless striking element; you, by not doing your duty, are responsible for thousands of children and mothers going hungry. If you do not do your duty this term we shall see to it that you are not re-elected.

Name: Ardart Yeipler
Address: 611 Bebb Ave., S. W.

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BOARD'S EXHIBIT NO. 9

APPLICATION FOR A PUBLIC OFFICIAL'S BOND OF $5,000 OR LESS

(For officials handling no money except petty cash)

To

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK

The Pioneer Bonding Company of the United States

Bonding Department: Hale Anderson, Vice-President, in charge

80 Maiden Lane, New York City

(If Bond Applied for is in excess of $5,000—Complete Form 658)

Name of Applicant: ..... Age: .....
Address of Applicant: .....
Exact official title: .....
Amount of bond required: $ Date bond effective: .....
Obligee (to whom bond runs): .....
Were you elected or appointed? .....
When does term begin? ..... When does term end? .....
Are you succeeding yourself in this office? .....
If so, who furnished your bond? .....
Why is a change made? .....
State generally the duties of the office: .....
Have you authority to draw out or to check against deposits? .....
If you have, is any countersignature required? .....
If funds are paid out upon the order of other officials, do their orders or warrants accompany or form a part of your checks or drafts upon the depository? .....

To whom and how often do you report receipts and disbursements? .....

By whom are your accounts examined and at what intervals? .....

Shall you employ deputies? ..... If so, how many? .....

Shall you require them to give bonds with corporate surety? .....

Shall you be engaged in any other business or employment during your term of office? .....

If so, state the business or employment and your probable income therefrom: .....

State conservative valuation of your real estate: .....

State amount of mortgages or other liens: .....

State conservative valuation of personal property and nature thereof: .....

References

Give as references the names and post-office addresses in full of at least four persons well acquainted with you during the past ten or more years and not related to you. Please do not refer to any officer or fellow-employee in the service in which you are engaged.

Name (Please Print)	Profession or Business	Postal Address in full (Street and No. in cities)
Mr.		
Mr.		
Mr.		
Mr.		

The undersigned warrants the answers and information given herein to be true, and in consideration of The Fidelity and Casualty Company of New York agreeing to execute the bond herein applied for do hereby agree as follows: To pay in advance the premium, to wit $..... upon the execution of the bond and annually thereafter. To indemnify

and keep indemnified the Company and hold and save it harmless from and against any and all loss, costs, charges, suits, damages, counsel fees and expenses of whatever kind or nature which the Company shall or may for any cause, at any time sustain or incur, or be put to, for or by reason or in consequence of the Company having entered into or executed said bond, or any renewal or modification thereof.

Dated and signed at (Town and State) ..... , this ..... day of ..... 19 ...

.....

(Signature in full of the Applicant)

In the presence of

.....

Witness

BOARD'S EXHIBIT NO. 10

Know All Men by These Presents:

That ..... as principal, and ..... as sureties are held and firmly bound unto the (1) City of Canton, in Stark County, Ohio, in the penal sum of ..... Dollars to the payment of which well and truly to be made said principal does bind himself, his heirs, executors and administrators, and said sureties do bind themselves, their heirs, executors, administrators, and successors, firmly by these presents as witnessed by the execution and sealing hereof by said principal and sureties this ..... day of ..... , A. D. 193 ...

The Condition of this Obligation is such that whereas the said principal was, on the ..... day of ..... A. D. 19 ... , duly (2) ..... to the office of (3) ..... of the City, of Canton, Ohio, ... for the term of .....

Now if the said principal shall faithfully perform his duties as such officer as re- required by law during the term for which he has been (2) ..... as aforesaid, then this obligation shall be void, otherwise to remain in full force and virtue in law.

(1) Insert name of municipality to which bond is to run. ..... (Seal)

(2) Insert "appointed" or "elected." ..... (Seal)

(3) Insert name of office to which principal is elected. ..... (Seal)

(4) Insert "election" or "appointment." ..... (Seal)

State of Ohio,
Stark County, ss:

..... being duly sworn says that he will support the Constitution of the United States, and of the State of Ohio, and that he will faithfully, honestly and impartially perform and discharge the duties of the office to which he has been (2) ....., while he shall hold said office.

.....

Sworn to by ..... before me, and by him subscribed in my presence this ..... day of ....., A. D. 193...

.....

I have inspected the within bond and do hereby certify that the same is sufficient in form.

Dated at Canton, Ohio, this ..... day of ....., 193..

.....
Solicitor of Municipality

The within bond is approved by me as to the amount

and sureties thereof, this ..... day of ....., 193..

.....

Mayor

(Attached card:)

PRIVATE POLICE COMMISSION

This is to certify that I, Seccombe, Mayor of the City of Canton, Stark County, Ohio, do hereby appoint

.....

a Private Police Officer under City Ordinance No. 4619. The aforesaid party while acting as such Private Officer shall be under the direction and control of the Chief of Police of the City of Canton, Ohio. Said commission may be revoked any time by the Mayor.

Witness my hand and corporate seal of the City of Canton, Ohio, this ..... day of ....., 193

.....

Mayor

1936-37

Appointment approved and bond for above has been filed

.....

Director of Public Safety.

BOARD'S EXHIBIT NO. 11

July 6, 1937

Republic Steel Corp.,

Canton, O. (Attention, Mr. W. C. Gubbins) Smith

July 6, Fid. & Cas., Special Police Bonds
56 employees at Canton—$10. ea. $500. lyr $560.00

27 employees Massillon—$10. ea. $1000. lyr. 270.00

$830.00

(See schedule attached)

BOARD'S EXHIBIT NO. 12

BOND

KNOW ALL MEN BY THESE PRESENTS, That we, , and are held and firmly bound unto the State of Ohio, for the use of the City of Massillon, in the sum of One Thousand Dollars ($1,000.00), for which we bind ourselves, our executors, administrators and heirs.

Signed this day of July, 1937, at Massillon, Ohio.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, , was on the day of July, 1937, appointed Special Police Officer in and for the City of Massillon, Ohio, to serve during the present emergency. Now if the said shall faithfully perform the duties of said office during his continuance therein, then this obligation shall be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, we hereunto subscribe our names this day of July, 1937.

Witnessed by: .....

.....

.....

This bond is approved by me as to form and legal sufficiency.

.....

City Solicitor.

The above bond and the sureties thereon are approved by me this day of July, A. D. 1937.

.....

Mayor.

OATH

State of Ohio,
Stark County, ss:

I, , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio, and will faithfully, honestly and impartially discharge the duties of the office of Special Police Officer of the City of Massillon in the County of Stark and State of Ohio during my continuance in office.

.....

Sworn to before me and subscribed in my presence this day of July, A. D. 1937.

.....

BOARD'S EXHIBIT NO. 13A

Canton Employees

No. 1661146—Baughman, Sebastian V.
No. 1661147—Bowen, Paul A.
No. 1661148—Blystone, Jas. E.
No. 1661149—Brill, Carl
No. 1661150—Connolly, Dillen
No. 1661151—Cook, John
No. 1661152—Coulas, Gust
No. 1661153—Crewse, E. G.
No. 1661154—Daughenbaugh, Frank P.
No. 1661155—Dew, Joseph

No. 1661156—Dinkins, Roy R.
No. 1661157—Ellis, Merrill T.
No. 1661158—Everett, John C.
No. 1661159—Freeman Wallace
No. 1661160—Givens, Edward
No. 1661161—Gonsalves, John M.
No. 1661162—Good, Chas.
No. 1661163—Greenwald, Wm. C.
No. 1661164—Haines, Herman
No. 1661165—Horn, Russell
No. 1661166—Johnson, Bert
No. 1661167—Johnson, F. H.
No. 1661168—Kaiser, Herman F.
No. 1661169—Kieffer, E. J.
No. 1661170—Lantry, Burrell B.
No. 1661171—Lewis, A. N.
No. 1661172—Lyons, Thomas F.
No. 1661173—Martin, Frank L.
No. 1661174—Mast, Perle
No. 1661175—Master, David F.
No. 1661176—Matthews, Otis
No. 1661177—Maurer, Ralph A.
No. 1661178—McLaughlin, John M.
No. 1661179—Miller, John W.
No. 1661180—Mills, Bernard
No. 1661181—Moore, Clyde
No. 1661182—Mydock, Paul P.
No. 1661183—Nordick, O. J.
No. 1661184—Norris, George J.
No. 1661185—O'Dell, Jas. E.
No. 1661186—Peters, Frederick U.
No. 1661187—Ragon, Charles
No. 1661188—Richardson, Byron R.
No. 1661189—Rustefo, Calagero
No. 1661190—Seccombe, Ben

No. 1661191—Slaughter, Chester A.
No. 1661192—Starr, Thomas J.
No. 1661193—Stewart, J. G.
No. 1661194—Thewes, A. B.
No. 1661195—Ullom, F. Guy
No. 1661196—Weber, H. S.
No. 1661197—Williams, James
No. 1661198—Williams, Lawrence E.
No. 1661199—Wilson, Fred E.
No. 1661200—Yuhos, Joe
No. 1661001—Zorn, Frederick W.

Massillon Employees

No. 1661002—Aeschbacher, Fred
No. 1661003—Danner, Gottlieb
No. 1661004—Dretke, Walter
No. 1661005—Fults, Frank
No. 1661006—Hemperly, E. V.
No. 1661007—Henderson, Wm. F.
No. 1661008—Hodge, Thomas
No. 1661009—Holden, J. T. Jr.
No. 1661010—Holt, Walter
No. 1661011—Hornberger, Virgil
No. 1661012—Hose, H. J.
No. 1661013—Kelleher, John T.
No. 1661014—Ketler, D. L.
No. 1661015—Kreiger, Dale
No. 1661016—Lawrence, Homer
No. 1661017—Long, Clifton L.
No. 1661018—McAllister, Wm. H.
No. 1661019—McGinnis, Daniel
No. 1661020—Perdew, Chas.
No. 1661021—Renshaw, Frank
No. 1661022—Rechlig, T. W.
No. 1661023—Shine, Herbert R.

No. 1661024—Smith, Earnest
No. 1661025—Snyder, Robert C.
No. 1661026—Sutton, Albert W.
No. 1661027—Wehrle, H. E.
No. 1661028—Widing, John O.

BOARD'S EXHIBIT NO. 13B

Name Republic Steel Corp. Smith
Company Fid. & Cas.
Date July 6, 1937 Expires July 6, 1938
Amount 83 bonds Rate 10. Premium 830.
Policy No. Old Policy No.

Pol. covers Special Police Bonds—(Expire by own terms, 7-6-38) ($500. each City of Canton $1000. each City of Massillon) (Indemnity signed by Republic Steel, W. C. Gubbins)
Mtg.
Land Cont.

BOARD'S EXHIBIT NO. 14A

July 13, 1937

The Fidelity & Casualty Co.,
430 East Ohio Gas Bldg.,
Cleveland, Ohio.

Gentlemen:

In Re: The Republic Steel Corporation—

We are enclosing completed General Indemnity Agreement in accordance with your instructions. Mr. Gubbins advises us that if you insist upon the corporation seal appearing on this form that he will give us a letter

to the Cleveland office which will authorize their putting it on for us. He did not have a seal in the Canton office.

Sincerely yours,
THE DUERR-SMITH-LANE COMPANY

TBS:MM
Encl.

BOARD'S EXHIBIT NO. 14B

(Form 567: General Indemnity Agreement.)

The Fidelity and Casualty Company of New York
The Pioneer Bonding Company of the United States
Bonding Department: Hale Anderson, Vice-President, in Charge
80 Maiden Lane, New York City

CONTRACT OF INDEMNITY

This Agreement made this day of , 19 by and between (Full name of Principal) of hereinafter called the PRINCIPAL; and (Full name of Indemnitor) of hereinafter called the INDEMNITOR, and THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, hereinafter called the Company, witnesseth:

Whereas, at the special instance and request of the Principal and the Indemnitor, and on the security of this agreement, the Company is or is to become surety for the Principal on certain proposal, supply, contract, court, license, and other bonds;

Now, therefore, in consideration of the premises and

of the sum of one dollar in hand paid by the Company to the Principal and the Indemnitor, the receipt whereof is hereby acknowledged, the Principal and the indemnitor hereby agree and bind themselves, their heirs, executors, administrators, successors and assigns, as follows:

1. That the Principal and the Indemnitor will pay, or cause to be paid, to the Company, upon the execution of each of the said bonds, a premium computed on the basis of the prevailing manual rates at the time of the execution of the said bonds.

2. That the Principal and the Indemnitor will pay, or cause to be paid, premiums as aforesaid annually in advance on each of the said bonds until all liability thereunder shall have terminated, and until the Company shall have received from the Principal or the Indemnitor satisfactory evidence of such termination.

3. That the Principal and the Indemnitor shall and will at all times indemnify and keep indemnified the Company from and against any and all claims, demands, losses, damages, costs, charges, counsel fees, expenses, suits, orders, judgments, and adjudications whatsoever, that the Company shall or may for any cause at any time sustain or incur by reason of or in consequence of the said bonds or any renewal thereof or any new bond issued in continuation thereof or as a substitute therefor; and the Principal and the Indemnitor further covenant and agree to place the Company in possession of funds whenever necessary for the Company's protection against such claims, demands, losses, damages, costs, charges, counsel fees, expenses, suits, orders, judgments, and adjudications whatsoever, and to pay to the Company, before the Company shall be compelled to pay the same, all damages, losses, costs, charges, counsel fees, and expenses for which

the Company shall become liable by reason of or in consequence of the said bonds or any renewal thereof or any new bond issued in continuation thereof or as a substitute therefor.

4. That immediately upon the Principal or the Indemnitor becoming aware of any demand, notice, or proceeding preliminary to determining or fixing any liability with which the Company may be subsequently charged under the said bonds or any renewal thereof or any new bond issued in continuation thereof or as a substitute therefor, the Principal or the Indemnitor shall notify the Company thereof in writing.

5. That the Principal and the Indemnitor upon requesting the Company to prosecute, defend, or take part in any action, suit, proceeding, appeal, or writ of error, will place in the possession of the Company funds or securities sufficient to cover any costs, charges, and expenses that the Company may incur in complying with the said request, together with a sufficient amount of money or securities to cover the amount of any liability, order, adjustment, or adjudication that may result from a compliance with the said request.

6. That the Company at its option shall have and may exercise in the name of the Principal and the Indemnitor or otherwise every right, remedy, and demand that the Principal or the Indemnitor may have for the recovery of any sums paid by the Company under the said bonds or any renewal thereof or any new bond issued in continuation thereof or as a substitute therefor; and the Principal and the Indemnitor do hereby assign all the said rights, remedies, and demands to the Company with full power and authority to take such action in regard thereto in the name of the Principal or the Indem-

nitor or otherwise as the Principal or the Indemnitor might take if such assignment had not been made; and the Principal and the Indemnitor hereby appoint the Company the attorney of the Principal and the Indemnitor for such purposes.

Bond 567, 2M *
(33111544)

7. That the Company has become bound under the said bonds for the special benefit of the Principal and the Indemnitor and the special benefit and protection of the property of the Principal and the Indemnitor, their income and earnings. That the Indemnitor is substantially and beneficially interested in obtaining the said suretyship. That the Company looks to and relies upon and shall at all times have the right to look to and rely upon, recover from, and follow the property which the Principal and the Indemnitor now have and which they hereafter may have and the income and earnings thereof for any sum or sums due or to become due the Company under this agreement.

8. That the rights and remedies that the Company may be subrogated to or otherwise have, acquire, exercise, and enforce shall not in any way be limited or abridged by this agreement nor by the acceptance of any payment for the said suretyship nor by any agreement to accept other security nor by the acceptance of other security nor by the assent to any act of the Principal named in the said bonds nor by the assent to any act of any person acting in behalf of the said Principal or of the Indemnitor; nor shall this agreement impose on the Company any liability that it would not have had were this agreement not executed.

9. That the Company is authorized and empowered

to assent to any change, alteration, or extension in the terms or conditions of the said bonds, or any contracts referred to in the said bonds, or in the general conditions, plans, or specifications accompanying said contracts; and that assent may also be given by the Company to any change in the time for the completion of said contracts, to payments or advances thereunder before the same may be due, and that the Company may assent to or take any assignment or assignments thereof; all without notice to or knowledge of the Principal and the Indemnitor; it being expressly understood and agreed that the liability of the Principal and the Indemnitor shall not be discharged by reason of or on account of anything done by the Company in pursuance hereof, which shall have been requested or assented to by the Principal, and that this Agreement of Indemnity shall apply to any and all changes, alterations, extensions and assignments whatsoever.

10. That the Company is further authorized and empowered to advance or loan to the Principal any money which the Company may see fit to advance to the Principal for the purpose of any contracts referred to or guaranteed by such bonds; and all money expended in the completion of any such contracts by the Company, or loaned or advanced from time to time to the Principal for the purposes of any such contracts, and all costs, counsel fees and expenses incurred by the Company in relation thereto, unless repaid with legal interest by the Principal to the Company when due, shall be conclusively presumed to be a loss by the Company for which the Principal and the Indemnitor shall be responsible.

11. That upon notice to or discovery by the Company of the failure of the Principal to comply with the provisions of any contracts, the performance of which shall be

guaranteed by such bonds, the Company may immediately take possession of such plant and materials as the Principal may have upon, or adjacent to, or intended to be used for the work provided for therein, or to which the Principal may have a legal or equitable title, so that the Company may use the same in the prosecution of such contracts, and right of possession of such plant and materials shall not be considered as waived by any delay on the part of the Company in exercising said right.

12. That should the Principal be declared in default in connection with any contracts covered by such bonds the Company shall have the right to collect and receive all reserved percentages and all money due and to become due the Principal under any such contracts, and to hold and apply the same as collateral to this Agreement; and in case such reserved percentages and all other money collected as herein provided shall not be sufficient to meet all expenses, costs, charges, fees and obligations of every nature incurred in the completion of any such contracts by, under, or at the direction of the Company, then and in that event the Company shall have the right to sell, lease or otherwise dispose of at its discretion, such plant and materials as the Principal may have on or adjacent to the work undertaken by the Principal, and apply the proceeds therefrom arising to the further liquidation of any balance due the Company for any expenditures made as hereinbefore stated.

13. That if the Compnay procures the execution of such bonds by other companies, or executes such bonds with co-sureties, or reinsures any portion of such bonds with reinsuring companies, then all the terms and conditions of this Agreement shall apply and operate for the benefit of such other companies, co-sureties or reinsuring companies, as their interests may appear.

14. That the Principal and Indemnitor hereby waive, so far as their respective obligations under this Agreement of Indemnity are concerned, all right to any claim of property, including homesteads, as exempt from levy, execution, sale or other legal process under the laws of any State.

15. That the Principal and the Indemnitor hereby waive all notice of any default, or any other act or acts giving rise to any claim under such bonds, as well as notice of any and all liability of the Company under such bonds, to the end and effect that the Principal and the Indemnitor shall be and continue liable hereunder, notwithstanding any notice of any kind to which they might have been entitled, and notwithstanding any defense that they might have been entitled to make.

16. That in case any of the parties mentioned in this Agreement of Indemnity fail to execute the same, or in case the execution hereof by any of the parties be defective or invalid for any reason, such failure, defect, or invalidity shall not in any manner affect the validity of this Agreement of Indemnity, or the liability hereunder of any of the parties executing the same, but each and every party so executing shall be and remain fully bound and liable hereunder to the same extent as if such failure, defect, or invalidity had not existed.

IN WITNESS WHEREOF, the Principal and the Indemnitor have hereunto set their hands and affixed their seals the day and year first above written.

.....
(Full name of Principal)
By .....
.....
(Full name of Indemnitor)
By .....

Signed, sealed and delivered in the presence of

.....

.....

(If the signor be a partnership, the firm name is to be signed on the upper line and the individual name of the member signing on the lower line. If the signor be a corporation, the corporate name is to be signed on the upper line and the officer's name and title on the lower line. The corporate seal must be attached in the case of a corporation.)

FOR PRINCIPAL'S SIGNATURE

Individual Verification

State of .....,
County of ....., ss.:

On this day of , in the year 19 , before me personally comes to me known and known to me to be the person who is described in and who executed the foregoing instrument and acknowledges to me that he executed the same.

.....

(Signature and title of official taking acknowledgment)

Partnership Verification

State of .....,
County of ....., ss.:

On this day of , in the year 19 , before me personally comes , a member of the co-partnership of , to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he executed the same as and for the act and deed of the said co-partnership.

.....

(Signature and title of official taking acknowledgment)

Corporate Verification

State of .....,
County of ....., ss.:

On this day of in the year 19 , before me personally comes to me known, who being by me duly sworn, deposes and says that he resides in the City of that he is the of the the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

.....

(Signature and title of official taking acknowledgment)

FOR INDEMNITOR'S SIGNATURE

Individual Verification

State of .....,
County of ....., ss.:

On this day of , in the year 19 , before me personally comes to me known and known to me to be the person who is described in and who executed the foregoing instrument and acknowledges to me that he executed the same.

.....

(Signature and title of official taking acknowledgment)

Partnership Verification

State of .....,
County of ....., ss.:

On this day of , in the year 19 , before me personally comes , a member of the co-partnership of to me known and known to me to be the person who is described in and who executed the foregoing instrument, and acknowledges to me that he executed the same as and for the act and deed of the said co-partnership.

.....

(Signature and title of official taking acknowledgment)

Corporate Verification

State of .....,
County of ....., ss.:

On this day of , in the year 19 , before me personally comes
to me known, who, being by me duly sworn, deposes and says that he resides in the City of
that he is the of the
the corporation described in and which executed the foregoing instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

.....

(Signature and title of official taking acknowledgment)

BOARD'S EXHIBIT NO. 16

To Whom It May Concern:

I hereby release the Sheriff of Stark County and his successors from any responsibility of my confinement in the Stark County Jail Sept. 23, 1936. Either myself and my heirs from any loss of any property and damage which may have occurred during my confinement.

Harold McCallister Witness
Ted Koellner Witness
George E. Nest

BOARD'S EXHIBIT NO. 17

To Whom It May Concern:

I hereby release the Sheriff of Stark County and his successors from any responsibility of my confinement in the Stark County Jail Sept. 23, 1936. Either myself and my heirs from any loss of any property and damage which may have occurred during my confinement.

George E. Nest Witness
Ted Koellner Witness
Murice R. Long

BOARD'S EXHIBIT NO. 18

Plan of
REPRESENTATION
of
EMPLOYEES

Canton Tin Plate Corporation
July 1933

PREAMBLE

Canton Tin Plate Corporation, at Canton, Ohio, has adopted this Plan of Employees' Representation in order to provide effective means of communication and contact between the men and the management, to insure just and fair dealings, to cultivate better understandings of the problems which affect common welfare, and to develop greater confidence and harmony in all industrial relations.

The word "Company" used hereinafter shall mean the Canton Tin Plate Corporation.

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Article I—Representation.
Article II—Terms of Representatives.
Article III—Qualifications of Representatives and Voters.
Article IV—Nominations and Elections.
Article V—Management's Representative.
Article VI—Committees.
Article VII—Committee Meetings.
Article VIII—Representatives' Conferences.
Article IX—Principles and Policies Governing Relations Between Employees and Management.
Article X—Procedure for Adjustments.
Article XI—Independence of Employees' Representatives.
Article XII—Amendments.
Article XIII—Cost of Administration.
Article XIV—Schedule of Plant Representation.

PLAN OF REPRESENTATION OF EMPLOYEES

CANTON TIN PLATE CORPORATION

I.

REPRESENTATION

1. Representation shall be selected with regard to departmental divisions except where peculiar conditions exist to make slight variations advisable.

3. Adjustments in units of representation may be made by the Joint General Committee.

II.

TERMS OR REPRESENTATIVES

1. Representatives shall be elected for a term of one complete calendar year and shall be eligible for re-election.

2. A representative may be recalled upon the approval by the General Committee of a petition signed by two-thirds of the voters of his department or unit.

3. A representative shall be considered to have vacated office upon the termination of his employment with the department or unit from which he was elected or upon his appointment to such a regular position as would bring him within the meaning of Paragraph 3 Article III, entitled "Qualifications of Representatives and Voters."

4. Vacancies in the office of representative, for which there is no alternate, may be filled, for the unexpired term, at the discretion of the Committee on Rules, by special elections conducted in the same manner as general elections.

III.

QUALIFICATIONS OF REPRESENTATIVES AND VOTERS

1. Any employee who has been on the Company's

pay rolls for at least one year immediately prior to nominations who is twenty-one (21) years of age or over and who is an American citizen shall be considered qualified for nomination and election as a representative.

2. All employees who have been on the Company's pay rolls for a period of at least sixty (60) days immediately prior to nominations shall be entitled to vote.

3. Company officials, salaried employees, foremen, and other persons who have the right to hire or discharge, shall not be eligible as representatives or qualified to vote for representatives.

IV.

NOMINATIONS AND ELECTIONS

1. Nominations and elections shall be held annually.

2. Nominations shall be held on the first Wednesday and elections on the third Tuesday in August of each year. In the event of either of these days being a holiday, the day immediately following shall be substituted.

3. The total number of representatives shall be chosen at each annual election.

4. The nominations and elections shall be conducted by the employees, themselves, in accordance with these rules and regulations.

5. Nominations and elections shall be by secret ballot and so conducted as to avoid undue influence or interference with voters in any manner whatsoever or any fraud in the casting or counting of ballots.

6. On the day of nominations, each duly qualified voter shall be furnished with a ballot, indicating the number of persons for whom he is entitled to vote, on which he shall write the names of the persons in his department or unit

whom he desires to nominate as representatives. If the department or unit has two or more persons of the same or similar name, the voter should further identify his choice by adding the check number of said person.

7. A voter may place in nomination twice the number of representatives to which his department or unit is entitled.

8. If, on any ballot, the same name is placed in nomination more than once, it shall be counted but once.

9. Should the number of persons nominated on any ballot exceed the number permitted, as stated on the ballot, said ballot shall be void.

10. There shall be three persons nominated for every person to be elected.

11. Those who have received the largest number of votes, up to three times the number of representatives to be elected, shall be declared nominated and shall be candidates for election.

12. On the day of elections, each duly qualified voter shall be furnished by the Committee on Rules with a ballot on which the names of the candidates have been printed in the order of the number of votes received at nominations. The voter shall indicate his choice by placing a cross (X) opposite the names of those candidates.

13. Candidates, to the number of representatives to which a department or unit is entitled, may be voted for and this number shall be indicated on the ballot. If this number is exceeded on any ballot, said ballot shall be void.

14. Each voter shall deposit his own ballot in a box provided for that purpose by the Committee on Rules and the ballots shall be counted under the direction and supervision of said committee and a representative of the man-

agement. The candidates receiving the highest number of votes shall be declared elected.

15. Candidates failing of election shall stand as alternates in the order of number of votes received and shall become representatives as need may arise through vacancies or increased forces within their own department or unit.

16. In the event of a tie, seniority in the Company's continuous service shall determine the choice.

17. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules.

18. The committee on Rules may make such provisions as it may consider necessary for assisting any voter who may so request in properly marking his ballot.

V.

MANAGEMENT'S REPRESENTATIVE

1. The Company shall appoint a management's representative to facilitate close relationships between the employees' representatives and the management.

2. The management's representative shall keep the management in touch with the representatives, their officers, and committees. He shall respond promptly to any request from representatives. He shall consult, as frequently as possible, with all representatives in the interest of friendly relations and shall interview them whenever advisable with reference to any industrial relations, or matters of concern to employees.

VI.

COMMITTEES

1. Within the first seven days of August, immediately following their election, the new representatives shall meet

for the purpose of electing from among their own number a Chairman, a Secretary, a General Committee and a Committee on Rules, and may then, or from time to time thereafter, appoint such other committees as they may deem necessary to consider any of the following subjects:

Wages, Employment and Working Conditions.
Safety, Sanitation and Health.
Works Practice, Methods and Economies.
Education, Recreation, Athletics and Entertainment.
Continuous Work and Reconstruction Problems.

The Chairman and/or Secretary of the representatives may be removed from the office at any time upon a two-thirds vote of all of the employees' representatives.

2. The Committee on Rules shall have jurisdiction to consider matters relating to rules, procedure and elections.

3. The General Committee shall have jurisdiction to consider all matters herein specified and those not falling within the scope of any other committee constituted and acting hereunder and shall, when jointly composed, act as a Committee on Appeals.

4. The several other committees shall have jurisdiction to consider the subjects indicated by their respective titles and such other matters and subjects as may, from time to time, be referred to them by the General Committee.

5. Each committee shall be composed of five members, two of whom, in the case of the General Committee, shall be the Chairman and Secretary of the representatives. Each of the other committees shall appoint its own Chairman and Secretary. Except upon approval of the Joint General Committee, no representative shall serve more than one committee.

6. Vacancies on committees shall be filled by the General Committee at any regular meeting.

7. There shall be joint committees which shall consist of the committees of employees' representatives, as herein provided, and representatives who shall be named by the management whose number may equal but shall not exceed the number of the employees' representatives.

8. The joint committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to a joint committee on rules.

9. Whenever the word "committee' is used throughout this instrument, it shall mean the separate committee of employees' representatives and whenever the words "joint committee" are used, they shall mean the joint committee as provided for in section 7 of this article.

10. By unanimous consent of the Joint General Committee, the membership of any committee or joint committee may be reduced or increased or any two or more committees or joint committees may be combined or any new or special committees or joint committees may be formed.

11. Action of joint committees, except as otherwise provided, shall be by a majority vote and a majority of a joint committee means a majority of the employees' representatives and a majority of the management's representatives comprising the full membership of the joint committee.

VII.

COMMITTEE MEETING

1. Regular meetings of committees shall be held once a month.

2. On alternate months of even number (second, fourth, etc.) the committees shall meet as joint committees.

3. Committees shall meet between the hours of 3:00

and 5:00 in the afternoon unless otherwise arranged for on joint approval of the Chairman of the employees' representatives and the management's representative. These hours subject to change by the committee.

4. Special meetings of committees and of joint committees may be held as occasions require on approval of the Chairman of the employees' representatives and the management's representative.

5. For time necessarily lost in actual attendance at regular meetings or at special meetings or conferences jointly approved, representatives shall receive from the Company, payment commensurate with their average earnings.

6. Representatives shall have the right to appear before and be heard by a committee on any matter of concern to those employees whom they represent.

7. A committee, when concerned with matters which are of special interest to any particular department or class of employees, shall have the right to invite into conference either or both the representatives of the employees and of the management likely to be specially interested in such matters.

8. Any matter may be referred by the management, through the management's representative, to any committee or joint committee for consideration and report and any matter may be presented by a committee or joint committee to the management, through the management's representative, for consideration and report.

9. The joint committee on rules shall arrange a suitable place for meetings of the representatives and of the several committees and joint committees.

VIII.

REPRESENTATIVES' CONFERENCES

1. An annual conference between all of the employees' representatives and the representatives of the management shall be held at a time and place determined by the joint committee on rules which shall be in charge of the procedure at such conference.

2. On the first Monday of October, December, February, April, and June, the employees' representatives shall meet in a body for the purpose of reviewing the work of the previous two months and discussing any matters of general interest.

IX.

PRINCIPLES AND POLICIES GOVERNING RELATIONS BETWEEN EMPLOYEES AND MANAGEMENT

1. This plan shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

2. The management of the works and the direction of the working forces, including the right to hire, suspend, discharge, or transfer, and the right to relieve employees from duty because of lack of work or for other legitimate reasons, is vested exclusively in the management and, except as expressly restricted herein, these rights shall not be abridged by anything contained herein.

X.

PROCEDURE FOR ADJUSTMENTS

1. Any matter which, in the opinion of any employee, requires adjustment and which such employee has been unable to adjust with the foreman of the work on which

he is engaged, and any matter deemed proper to be submitted by any committee, may in the case of such employee, be taken up either in person, or through any representative of his division or, in case of a committee, may be taken up by the committee, with the following named persons and in the order named:

First—The superintendent who is in charge of that department or unit.

Second—The management's representative.

Third—The management, which shall endeavor to effect a settlement or which may, with the approval of the employee or representative or committee submitting the proposition, refer the same to any joint committee.

2. Unless a satisfactory disposition of any such matter has been effected within a reasonable time, the employee, through his representative, or the committee or the management, through its representative, may require such matter to be referred to the Joint General Committee on Appeals by a request in writing addressed to said committee specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said committee.

The Joint General Committee on Appeals shall consider any such matter with reasonable promptness at a regular or special meeting and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint General Committee on Appeals fails to effect a satisfactory settlement, the matter shall be referred to the president of the Company. If the president of the Company and a majority of employees' representatives on the Joint General Committee on Appeals fail to effect a satisfactory settlement, they shall refer the matter to arbi-

tration as they may determine at the time, according to the nature of the controversy.

If the president and a majority of the employees' representatives on the Joint General Committee on Appeals are unable to agree upon an arbitrator or arbitrators, the president shall select one arbitrator and the employees' representatives on the Joint General Committee on Appeals shall select one arbitrator and the two arbitrators thus selected shall endeavor to settle the matter in dispute.

If the two arbitrators are unable to settle the controversy, they shall select a third arbitrator. If they cannot agree upon a third arbitrator, said third arbitrator shall be selected by the presiding judge of the District Court of the United States for that district wherein the Company works is located and the decision of any two of the three arbitrators thus chosen shall be final and binding on both parties.

XI.

INDEPENDENCE OF EMPLOYEES' REPRESENTATIVES

1. It is understood and agreed that each representative shall be free to discharge his duties in an independent manner without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the management's representative, to any of the operating officers, to the Joint General Committee, and to the president of the Company.

3. Having exercised this right, in the consecutive

order indicated, and failing a satisfactory remedy within thirty (30) days, a representative shall have the further right of appeal to the Secretary of Labor of the United States. In such event, the company shall furnish said Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of said Secretary of Labor of the United States shall be final and binding.

XII.

AMENDMENTS

This plan may be amended at any time by a two-thirds vote of the entire membership of the Joint General Committee and the joint committee on rules, at any joint, regular or special meeting of such committees, approved by a majority vote of the employees' representatives present and a majority of the management's representatives present at any joint annual meeting of such representatives or at any joint special meeting of such representatives called for that purpose.

XIII.

COST OF ADMINISTRATION

The Company shall defray such expenses as are necessarily incidental to the activities herein provided for. Expenses shall be incurred only upon authorization by the Joint General Committee except in cases which are recognized as established by custom or precedent or in cases of emergency which do not permit of such authorization.

XIV.

SCHEDULE OF PLANT REPRESENTATION

Number of Representatives	Department
6	Hot Mill

1	Shearing Dept. Openers
1	Mechanical Dept.
1	Pickling, Annealing and Black Shipping
2	Cold Rolls
1	Tin House
2	Sorting Room
	1 Male
	1 Female

BOARD'S EXHIBIT NO. 19

May 8, 1937

Meeting called at 12:30 P. M. with Mr. Iden acting as chairman. Members present were Iden, Morrow, Frank, Kirkland, Francombe, Clatterbuck, Roman, Lewis, Guist.

Report of committees.

Mr. Iden reported that dance was a great success and that everybody was well pleased with it. The committee was very highly recommended for their way of handling the dance. We had several officials present at dance with Mr. Sam Davey, Mr. James Davey, Mr. Tonies and Mr. Coldrew and also Mr. Richard Jones who were very well pleased with the dance.

New Business.

The question of the disposition of the rest of the money in bank was discussed. It was moved by Kirkland and seconded by Morrow that the question be placed on the table for a week. Carried.

Good of Order.

Mr. Morrow made a motion that the committee resign. Motion was seconded by Mr. Lewis. After such discussion for and against it the motion was put to a vote. Three

members ~~of~~ voted for the motion and six (6) voted against it. The motion was lost.

Mr. Sam Davey introduced Mr. Frank Geltz, chairman of the Gen. Body and Mr. Cox, vice chairman. ~~wh~~ Mr. Geltz after some talk presented a plan that had been worked out by their representative body. The plan called Employees' Representative Assn. a copy of which was given to each member, was discussed ~~by~~ and explained by Mr. Geltz. After the retirement of Mr. Geltz and Mr. Cox, our committee voted to meet ~~Sat. May 15~~, to consider the plan and ~~to act upon same~~. at the call of the president.

There being no further business the committee adjourned.

Edward Frank, Pres.
Ed Kirkland, Secry.

BOARD'S EXHIBIT NO. 20

I hereby subscribe $ ..... to help defray legal fees and expenses incurred by reason of Employees' Petition to Common Pleas Court for Restraining Order and Injunction against the C. I. O. with respect to their unlawful interference with our right to go to and from our work.

Date ..... Signed .....

BOARD'S EXHIBIT NO. 21

Republic Steel Corporation
Central Alloy District
Canton Works

Plan of Employees' Representation
June, 1933

PRINCIPLES OF REPRESENTATION

The Republic Steel Corporation (hereinafter called the Company) inaugurates this Plan of Employees' Rep-representation for the Central Alloy District, Canton Works, in order to provide effective means of contact between the Management and the Employees, and an orderly and expeditious procedure for the prevention and adjustment of any future differences, to insure justice, maintain tranquility and promote the common welfare.

The Plan of Employees' Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I.

REPRESENTATION

1. Employees' Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II.

TERMS OF OFFICE OF REPRESENTATIVES AND VACANCIES

1. Employees' Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employees' Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his Department and upon such approval he shall cease to be such Representative.

3. An Employees' Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employees' Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

QUALIFICATIONS OF REPRESENTATIVES AND VOTERS

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employees' Representative.

2. All employees who have been on the Company's payrolls for a period of at least sixty (60) days immediately prior to nominations and who are eighteen (18) years of age or over, shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employees' Representatives or qualified to vote for Employees' Representatives.

IV.

NOMINATIONS AND ELECTIONS

1. Nominations and elections of Employees' Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons

for whom he is entitled to vote. Such voter shall write on ballot the names or check number of the persons in his Department or voting division whom he desires to nominate for election as Employees' Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employees' Representative to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employees' Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a

cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employees' Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employees' Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employees' Representatives as need may arise through vacancies or increased forces.

V.

MANAGEMENT'S REPRESENTATIVE

The Company shall appoint a Management's Rep-

resentative to facilitate close relationships between the Management and the Employees' Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI.

COMMITTEES

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employees' Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employees' Representatives.

The General Body of Employees' Representatives shall also select members of the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4—Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein

provided for, and the Chairman and Secretary of the General Body of Employees' Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employees' Representatives.

6. Joint Committees shall consist of the Committee of the Employees' Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employees' Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII

COMMITTEE MEETINGS

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committee shall meet.

3. In months that the Joint Committees meet, a meeting shall also be held by the General Body of Employees' Representatives for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by

joint approval of the Chairman of the General Body of Employees' Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employees' Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employees' Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII

ANNUAL CONFERENCE

An Annual Conference between all of the Employees' Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX

PROCEDURE FOR ADJUSTMENTS

1. Any matter which in the opinion of any employee requires adjustment, and which such employee has been unable to adjust with the Foreman of the work on which he is engaged, may be taken up by such employee, either in person, or through any Representative of his Department or voting division in writing:

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, who shall endeavor to effect a setttlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within a reasonable time, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the Joint Appeals Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons

which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employees' Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X

GUARANTEEING THE INDEPENDENCE OF REPRESENTATIVES

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The

Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI

AMENDMENTS

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employees' Representatives and of the Representatives of the Management at an Annual Conference.

BOARD'S EXHIBIT NO. 22

Central Alloy District

Statement ..... Date .....
Clock No. ..... No. 22024

Wages Earned

Deductions

Coke	
Advances	
Restaurant	Rep Pay
Relief	.50
Civic Fund	
Total Deductions	
Balance Due	1.23

Please Detach before Cashing

BOARD'S EXHIBIT NO. 23

June 5, 1934

To the Employees of
Republic Steel Corporation
Canton, Ohio

The Employee Representatives, elected under the Plan of Employee Representation in June, 1933, have spent considerable time in the handling of all problems of working conditions, wages, hours of labor, safety, and many other questions presented to us by the workers.

During our term of office, we have made a careful study of the Plan, and a copy of it, containing certain changes which we believe improve it, is attached to this letter.

On Tuesday, June 12, 1934, we, the Representatives of this Plan, will hold nominations by secret ballot and an election by secret ballot on Friday, June 15, 1934 for Employee Representatives, in accordance with Section IV of the By-Laws.

Your Rules, Ways and Means Committee has arranged for the nominations and elections and will provide ballot boxes and supply ballots.

Employee Representatives
Eugene R. Roderick
John W. Moatz
A. B. Rannigan
R. J. Lilly
J. G. Stewart
F. T. Fisher
L. A. Syfert
W. J. Bratt
J. M. Dunn

Matt J. Komp
Chas. Starkey
Thos. Saunders Sr.
Gordon E. Miller
T. H. Shankel
Arley A. Gathers
Maurice Plottner
F. W. O'Brien
C. M. Guster
DeWitt H. Campbell
Paul E. Bousky

REPUBLIC STEEL CORPORATION

Central Alloy District
Canton Works
Plan of Employee Representation
Adopted June 1933
Amended June 1934

PRINCIPLES OF REPRESENTATION

The object of this Plain is to provide effective means of contact between the employees and the Management and an orderly and expeditious procedure for the prevention and adjustment of any future differences, to insure justice, maintain tranquility and promote the common welfare.

The Plan of Employee Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I

REPRESENTATION

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II

TERM OF OFFICE OF REPRESENTATIVES AND VACANCIES

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways, and Means, of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III

QUALIFICATIONS OF REPRESENTATIVES AND VOTERS

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All Employees who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nominations shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

IV

NOMINATIONS AND ELECTIONS

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters by anyone in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected

shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning

any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V

MANAGEMENT'S REPRESENTATIVE

The Company shall appoint a Management's Representative to facilitate close relationships between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI

COMMITTEES

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chair-

man, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4—Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII

COMMITTEE MEETINGS

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. The General Body of Employee Representatives shall meet monthly for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committee meetings shall start at 1:00 o'clock in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII

ANNUAL CONFERENCE

An Annual Conference between all of the Employee Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX

PROCEDURE FOR ADJUSTMENTS

1. Any matter which in the opinion of any employee requires adjustment, and which such employee has been unable to adjust with the Foreman of the work on which he is engaged, may be taken up by such employee, either in person, or through any Representative of his Department or voting division in writing.

FIRST
With the Superintendent concerned.

SECOND
With the Management's Representative.

THIRD

With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within a reasonable time, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the Joint Appeals Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X

GUARANTEEING THE INDEPENDENCE OF REPRESENTATIVES

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such

independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI

AMENDMENTS

1. Any method of procedure hereunder may be amended at any time by two-thirds votes of the entire membership of the Joint Committee on Rules, Ways, and Means, or by concurrent majority vote of the General Body of Employee Representatives and of the Representatives of the Management at an Annual Conference.

BOARD'S EXHIBIT NO. 24

NOMINATION BALLOT
For
EMPLOYEE REPRESENTATIVES

Directions to Voters

This ballot is issued to qualified voters to nominate candidates for Employee Representatives.

The voter, by using this ballot, approves the holding of Nominations and Elections as stated in the posted notice issued by the Employees' Committee on Rules, Ways and Means under the Plan of Employee Representation at this Plant and expresses his desire that those elected shall represent him in collective bargaining and for the other purposes stated in the notice.

Each qualified voter is entitled to nominate twice the number of Representatives to which his department or voting division is entitled.

Write Names or Check Numbers of Candidates Below:

Name	Check No.
Vote for Two Only	If you write more your ballot will be VOID

REPUBLIC STEEL CORPORATION and SUBSIDIARIES
Central Alloy District or Subsidiary — Canton Plant
Bar Mills—12″
Department or Voting Division
Date June 12, 1934

BOARD'S EXHIBIT NO. 25

REPUBLIC
A Bulletin of Republic Steel Corporation and Subsidiaries
(Cover Picture)

Published in
Youngstown, Ohio
April 1934

REPUBLIC'S ENDURO STAINLESS
IS USED EVERYWHERE
FOR EVERYTHING . . .

(Picture)

Music certainly would sound inviting when played by such a charming young lady on this guitar made of Enduro Stainless Steel.

These shining, gleaming elevator doors—made of Enduro Stainless—are an attractive feature in (picture) the General Electric Building in Buffalo.

The "House of Tomorrow". It was built at the Century of Progress in Chicago. The exterior wall sections are of vitreous enameled on Toncan (picture) Enameling Iron, edged with Enduro Stainless Steel.

(Picture)

Rockefeller Center, New York City, where ten tons of Enduro Stainless were used for the sign on Radio City Theatre and five more for the theatre marquee.

(Picture)

Sixty ships of this type use exhaust collector manifolds and heater tubes made of Enduro Stainless. They are capable of a speed of 128 miles per hour.

APRIL 1934 3

OUR EMPLOYEE REPRESENTATIVES
By J. A. VOSS
Director of Industrial Relations

First of all, I want to congratulate all of our Employee Representatives upon the splendid job that they have done since the Representation Plan was started.

It is not an easy thing for a group of men elected by employees in the mill to start, right from scratch, dealing with management with respect to hours, wages and working conditions, on behalf of the employees whom they represent.

I think Republic's Employee Representatives have done a first class piece of work. They have suggested a great many things which have been of distinct benefit to everybody concerned—things which management alone most likely would not have even thought of.

And as far as benefits to employees themselves are concerned, I think the story is told in the record of cases handled under our Employee Representation Plan from June 16, 1933 to February 28, 1934, inclusive.

This is really an amazing record. During the first eight months the plan was in operation 1222 different matters were discussed and settled. Of this number 72% were settled in favor of employees, 14% were settled in the negative, 3% were withdrawn by the employees, 4% were compromised, and only 7% of the total cases were still pending settlement as of March 1, 1934.

It is especially interesting to note that 922 cases, or 75% of the total, had to do with Employment, Working Conditions, Wages, Safety and Welfare, which are, of course, the most important matters in which employees are interested.

The results obtained show that Employee Representatives know the needs and views of employees, and have not hesitated to step forward and present these needs and views to management—and they have gotten remarkable results.

Collective Bargaining Under NRA

Since the National Industrial Recovery Act became effective in June, 1933, there has been much discussion and there have been many misleading statements concerning the "collective bargaining" clause of the act.

This clause (Section 7-A) reads as follows:

(1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

(2) That no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization, of his own choosing; and

(3) That the employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

I urge you to study this quotation from the National Industrial Recovery Act and see how it applies to our own Representation Plan.

Our employees have absolute freedom in the selection of their representatives.

Our plan provides for collective bargaining with all its benefits, regardless of any affiliation with any other organization. Union and non-union men have exactly the same standing, under our plan, and the plan stands for fair nomination and election of representatives by secret ballot.

The plan has a great many practical and workable advantages.

In the first place, under this plan our employees are represented, as a rule, by men whom they know and men who know them. Our Employee Representatives are thoroughly familiar with personnel and working conditions in the various plants. When they deal with management on some certain problem, they know what they are talking about.

And what is still more important,

(Continued on page 10)

(Enclosed in box)

CASES HANDLED UNDER OUR EMPLOYEE REPRESENTATION PLAN FROM JUNE 16, 1933 TO FEBRUARY 28, 1934, INCLUSIVE

Employment and Working Conditions	335
Wages, Piece Work, Bonus, Tonnage Schedules	328
Safety and Welfare	259
Practice, Methods and Economy	43
Health and Works Sanitation	125
Employees' Transportation	25
Housing and Living Conditions	21
Education and Publications	7
Athletics and Recreation	11
Rules, Ways and Means	68
Total	1222
Settled in Favor of Employees	886
Settled in the Negative	167
Withdrawn by Employees	41
Compromised	48

Pending Settlement	80
Total	1222
Total Employee Representatives meetings held	785
Total Attendance	6968

4 REPUBLIC

Employee Representatives—Youngstown, Massillon, Canton, Buffalo and Warren

(Group pictures of representatives of Canton, O., Plant; Massillon, O., Plant; Youngstown, O., District; Buffalo, N. Y., District; Warren, O., District.)

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Upson Nut Divisions, S. Chicago, Moline & Grand Crossing

(Group pictures of representatives from Upson Nut Division, Unionville, Conn., Plant; South Chicago, Ill., Plant; Moline, Ill., Plant; Grand Crossing, Ill., Plant; Upson Nut Division, Cleveland, O., Plant; Upson Nut Division, Muncie, Ind., Plant.)

6 REPUBLIC

Employee Representatives—Northern Ore Mines

(Group pictures of representatives of Townsite Mine, Ironwood, Mich.; Kinney Mine, Kinney, Minn.; Union Mine, Virginia, Minn.; Cambria Mine, Negaunee, Mich.; Alexandria Mine, Hibbing, Minn.; Susquehanna Mine, Hibbing, Minn.)

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Employee Representatives—Steel and Tubes, Inc., and Berger Manufacturing Co.

(Group pictures of representatives of Steel and Tubes, Inc., Elyria, O., Plant; Steel and Tubes, Inc., Brooklyn, N. Y.,

Plant; Steel and Tubes, Inc., Superior Plant, Elyria, O.; Steel and Tubes, Inc., Cleveland, O., Plant; Steel and Tubes, Inc., Ferndale, Mich., Plant; Berger Manufacturing Co., Canton, O.)

REPUBLIC

Employee Representatives—Union Drawn Steel Co., Ideal Foundry and Machine Co., and Dilworth-Porter Division

(Group pictures of representatives of Union Drawn Steel Co., Gary, Ind., Plant; Union Drawn Steel Co., Beaver Falls, Pa., Plants; Union Drawn Steel Co., Massillon, O., Plant; Ideal Foundry & Machine Co., Beaver Falls, Pa.; Dilworth Porter Division, Pittsburgh, Pa.; Union Drawn Steel Co., Hartford, Conn., Plant.)

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Employee Representatives—Birmingham District and Canton Culvert Co.

(Group pictures of representatives of Raimund Mine, Birmingham, Ala.; Thomas Plant, Birmingham, Ala.; Spaulding Mine, Birmingham, Ala.; Sayreton Mine, Birmingham, Ala.; Canton Culvert Co., Danville, Ill., Plant; Canton Culvert Co., Canton, O., Plant.)

10 REPUBLIC

Our Employee Representatives

(Continued from page 3)

they can get an immediate hearing. The most remarkable thing about our Employee Representation Plan record is, I believe, the speed with which questions are taken up *and settled.*

Some Form of Collective Bargaining Necessary

This company believes thoroughly in the principle of collective bargaining. Industry in this country has become

so large, and so complex, that it is physically impossible for all the employees to talk to their employers. Consequently some form of dealing between Representatives of Employees, and Representatives of Management, is absolutely necessary in order to conduct satisfactorily the affairs of a large company.

Harmonious relations can only be established by a thorough understanding of each other's problems. Our Representation Plan, set up with representative groups for *each plant*, answers this requirement.

But we believe that our Representation Plan has a still larger field of usefulness. We look upon the Plan, in short, as a method of coordinating efforts of the men and of management to the mutual advantage of both. Working together, employees and management can make the Plan one of the most important functions in our whole organization, tending toward the good of all of us in a manner which would otherwise be impossible.

No outside agency could possibly bring about the speedy results and the satisfactory understanding which have already been developed in our plants through the Employee Representation Plan.

EMPLOYEE REPRESENTATION FROM THE MANAGEMENT POINT OF VIEW

by R. J. WYSOR, Vice President in Charge of Operations

From the management point of view, I wish to emphasize the fact that management does not consider the Employee Representation Plan as merely an expedient to satisfy requirements of NRA. We believe this plan, functioning smoothly, should be a permanent part of the Republic picture for all time to come. It is in this spirit that the

management of Republic approaches its share of the task of making the Plan work.

Employee Representation Plans are not new. The earliest recorded plans in the United States were established in 1904. They have been functioning successfully in some plants of the steel industry for 15 years. Since June, 1933, we have proved, right here in Republic from our own experience, that the Plan will work—and that it has provided all Republic men a chance to be heard through representatives of their own choosing.

It has been interesting to see how both employees and management have reached a better realization of each other's problems through the operation of the Plan in Republic Steel Corporation and Subsidiaries since June, 1933. Both sides have many interests in common and a few in conflict. Through the Plan all controversial subjects are brought into the open for discussion, misunderstandings are avoided, intelligent consideration of all questions is possible, and full co-operation between management and men is assured.

I am proud of the manner in which our Employee Representatives have handled problems under the Employee Representation Plan. If this spirit of co-operation can be maintained and fostered, there is nothing that can keep you and the Corporation from enjoying contentment, industrial peace and steady progress in the future. By so doing, you and the Corporation shall occupy a rightful place in the Industrial Recovery program.

(Picture in left hand lower corner)

Corrugating Republic Sheets

REPUBLIC STEEL CORPORATION AND SUBSIDIARIES
EMPLOYEE REPRESENTATIVES
Year 1933 - - 1934

CENTRAL ALLOY DISTRICT
Canton Plant
Bonsky, P. E.
Bratt, W. J.
Campbell, D.
Custer, C. M.
Dunn, J. M.
Fisher, F. T.
Gathers, A. A.
Komp, M. J.
Lilly, R. J.
Moatz, J.
Miller, G. E.
O'Brien, F. W.
Plottner, M.
Rannigan, A. B.
Roderick, E. R.
Saunders, T., Sr.
Shankle, T. H.
Starkey, C.
Stewart, J. G.
Syfert, L. A.
Massillon Plant
Bean, G.
Brethauer, F.
Clary, W. N.
Coombs, O. P., Sr.
Craver, C. P.
Hammer, O.
Hollinger, J.
Linckenhely, N.
McArdle, J. E.
Miller, R. J.
O'Neil, T. P.
Rutherford, A. J.
Seward, R. D.
Smith, R. S.
Spicer, W.
Wagoner, G.

YOUNGSTOWN DISTRICT
Brown, L.
Hughes, G. J.
Jacobs, E.
Krichbaum, E.
Mondora, R.
Mullaly, R.
Murphy, M.
MacNab, W.
McKay, A. B.
Olson, A.
Park, G.
Patrick, A.
Price, M.
Quimby, L.
Richter, C.
Thomas, W.
Williams, H.
Waldron, F.

BUFFALO DISTRICT
Anderson, J.
Butler, T.
Caher, P.
Fox, G.
Gannon, W.
Hall, T.
Jerome, M. D.
King, E.
McDonnell, M.
Muldowney, J.
Pearson, R.
Robinson, H.
Schnorr, J.
Smith, J.
Reppenhagen, A.
Ziegler, H.

WARREN DISTRICT
Allen, Geo.
Chilson, E.
Daley, A. S.
Draber, C.
Dymond, R. M.
Edwards, Wm.
Evans, Stanley
Fawcett, J.
Flynn, J. J.
Groth, G. E.
Herst, Geo.
Hughes, Chas.
Masterson, R.
Mulligan, E. J.
Parant, C. V.
Rallsberger, Geo.
Ramsey, N. V.
Rees, D.
Roberts, R.
Shagnot, F. R.
Stephany, J.
Thomas, F.
Thomas, G.
Webb, E.
Whetstone, S.
Williams, F.

CHICAGO DISTRICT
South Chicago Plant
Joyce, T.
Husemann, E.
Kretche, J.
Miller, C. E.
Moore, C. H.
Osmus, O.
Peters, F.
Quick, J.
Turizo, S.

Grand Crossing Plant
Anderson, W.
Norton, B.
Schmidt, F.
Sypniewski, F.

Moline Plant
Ford, E.
Hart, A.
Steele, C. L.

UPSON NUT DIVISION
Cleveland Plant
Beier, W.
Fertig, L.
Moore, J.
Pelat, G.
Ziegler, F.

Muncie Plant
Dawson, J.
Hanes, R.
Smith, R. H.

Unionville Plant
Gagnon, F.
McMahon, G.
Trimble, M.

NORTHERN ORE MINES
Townsite Mine
Holst, O.
Johnson, J.
Richards, J.
Kinney Mine
Gundy, T. C.
Ilkka, J.
Klasnia, N.

Union Mine
Hoglund, R.
Lindquist, J. A.
Olsen, R.

Cambria Mine
Perala, H.
Tilot, J.
Yelland, R.
Alexandria Mine
Koschak, J.
LaFreniere, G.
Salmi, V.

Susquehanna Mine
Carmichael, G. D.
Ferris, E.
Muck, C.

STEEL AND TUBES, INC.

Elyria Plant
Hotow, F.
Roth, J.

Winkler, C.

Brooklyn Plant
Devoe, T.
Obermeyer, L.
Schertzer, R.

Superior Plant
Eddington, M.
Gibbs, H.
Goldsmith, E.

Cleveland Plant
Bibee, J.
Herold, G.
Long, F.
Miller, J.
Bentley, H.

Ferndale Plant
Adams, E.
Parks, C.
Rawlings, T.

Berger Mfg. Co.
Bourquin, C.
Brumbaugh, E.
Hanna, E.
Rhines, C.
Rice, L.

UNION DRAWN STEEL CO.

Gary Plant
Gregory, L.
Randham, L.
Surprise, K.

Massillon Plant
Abbott, E.
Pollock, G.
Ritter, C.
Steed, K.
Walter, R.

Beaver Falls Plants
Fritz, C.
Haggert, A.
Steffens, W.

Hartford Plant
Callahan, J. M.
Predota, C.
Scherer, M.

Ideal Foundry and Machine Co.
Burkhart, O.
McFadden, D. L.
Mitchell, R. H.

Dilworth-Porter Division

Carney, I.
Laszczynski, F.
Rounds, W.
Schuster, H.

BIRMINGHAM DISTRICT

Raimund Mine

Crotwell, I.
Davis, J.
Freeman, G.
Saunders, A.
Tarrant, L.

Thomas Plant

Bell, J.
Ferguson, W.
Simpson, C.
Tate, J.
Whitley, P.

Spaulding Mine
Boykin, G.
Burton, J.
Funderburg, R.
Herring, C.
Langford, C.

Sayreton Mine

Blake, C. R.
Blake, J. A.
Eaton, J. R.
Hampton, R.
Ray, A.
Smith, F.

CANTON CULVERT CO.

Canton Plant

Anderson, F.
Belcher, R.
Wise, C.

Danville Plant

Ackman, J.
Boyer, J.
Vogt, P.

12 REPUBLIC

(Map entitled "Republic Geography")
Plants, Mines and Sales Offices of Republic and Subsidiaries are scattered throughout the United States

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"REPUBLIC TOWN"—POPULATION 150,000

If all of the people who work for Republic were gathered together in one place, they and their families would total around 150,000.

This would mean a city as big as San Diego, California, or Bridgeport, Connecticut—a fifth bigger than Albany—six times as big as Massillon, Ohio, and nearly as big as Youngstown, the "capital city" of Republic.

"Republic-town," as we might call our fanciful city, would be a center of manufacturing and industry. Great steel plants, with their towering stacks, would dot the sky line. Factories, blocks long, would line the streets. Tall office buildings would be needed to house the executive, sales, production, research, personnel, and other departments. There would be miles of homes and apartment houses.

In "Republic-town" there would be 13 blast furnaces; 68 open hearth furnaces; 2 Bessemer Converters and 7 electric furnaces.

"Republic-town" would have 536 by-product coke ovens, 10 blooming mills, 9 billet and bar mills, 26 merchant mills, 73 sheet mills, and 34 black plate mills.

The town would be the largest producer of alloy steels in the world, and have the nation's greatest capacity for stainless steel. It would be the country's second largest center for bar and strip production, and the third largest center of sheet steel and pipe.

The capacity of its blast furnaces would be 2,793,000 tons a year. The annual capacity of its open-hearths Bessemers, and electric furnaces, would be 5,013,000 tons. Somewhere on the outskirts of this busy steel center would be great iron ore and coal mines.

Taking it all in all, "Republic-town" would be a busy, thriving city to which thousands of manufacturers throughout the world would look for their supply of all types of iron and steel products.

But instead of being consolidated into one town, the operations of Republic Steel Corporation are spread over the entire country.

Republic plants, mines or offices are to be found in

nineteen of the forty-eight states. They are located on the Atlantic seaboard, on the Pacific coast, on the Gulf of Mexico, and along the Great Lakes.

This spread of location covers all of the important industrial sections east of the Mississippi and enables Republic to give its customers prompt and efficient service.

But production is only one factor in the organization of a great business concern. The goods the company makes must be sold.

So Republic has sales offices in most of the large cities of the United States. Up and down and across the country, the sales representatives from these offices travel to get the orders that keep the company's plants operating.

This, in a nutshell, is Republic Steel Corporation—the *third largest producer of steel in the United States.*

APRIL 13

100% SAFETY RECORD

In 38 Republic Plants, Mines or Departments

Safety Pays! No additional proof of this fact is needed after a comparison is made of lost time and fatal accidents in the plants and mines of the Republic Steel Corporation and Subsidiaries in 1929 and during the years since that date.

(Enclosed in box)

Honor Roll for 1933

Plants, Mines or Departments without Lost Time Accidents

Warren

Coke, Inspection, Transportation, Roll Shop.

Upson Nut Division

Unionville, Conn., Muncie, Ind.

South Chicago

Inspection, Mason, Electrical, Miscellaneous, Roll Shop.

Upson Nut (Cleveland)

Tapping, Small Threading, Roll Threading, Bolt Finishing, Transportation, Trimming.

Central Alloy
(Massillon)

Blast Furnace, Electrical.

Central Alloy
(Canton)

Transportation and Labor.

Buffalo

Miscellaneous, Mason, Inspection, Roll Shop, Finishing Mills (General), 8-10-14" Rolling Mills.

Union Drawn Steel Co.

Gary, Ind., Beaver Falls No. 1, Hartford, Conn., Ideal Foundry Co., Beaver Falls No. 3.

Steel & Tubes, Inc.

Elyria.

Northern Ore Mines

Townsite, Susquehanna, Union.

Dilworth Porter

Tie Plate, No. 2 and No. 3 Spike Dept., Mechanical.

Taking lost time accidents and the deaths of 1929 as a

(Chart describing Per Cent Decrease in Lost Time Accidents Under 1929 and Per Cent Decrease in Fatal Accidents Under 1929. The years from 1929 to 1933 are given in each of the above instances and the percentage is shown by graphed lines opposite the years. In a column to the extreme right the number of employees saved from injury and the number of lives saved are given opposite the graphed lines.)

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measuring stick, a total of 2,493 Republic employees have

been saved from lost time accidents up to the close of 1933 and twenty have been saved from fatal injuries.

This means that 2,513 families have been spared the grief and shock which always accompanies an accident, whether it is fatal or not, to say nothing of the financial difficulties which such events always bring with them.

Perfect safety is only possible when every employee is constantly aware of its necessity. Frequently the carelessness on the part of one man results in an accident to another, so when we practice safety we are helping not only ourselves but every other person in the plant.

Perfect safety, of course, means an absolute absence of lost time accidents or deaths. This may sound difficult—and yet during the past year, thirty-eight plants, mines or departments achieved this enviable record. If it can be done in thirty-eight cases, it should be done in many more during 1934. The list of 100% units is shown in the Honor Roll on this page.

Does safety pay? You will find that the employees of those thirty-eight plants, mines or departments that had no accidents in 1933 will answer that question with a great big Y-E-S. They were spared the pain and suffering of personal injury—not by a matter of chance—but because they were thinking and working safely. Congratulations to those thirty-eight units that operated through the year of 1933 without a lost time accident.

IF IT'S MADE OF STEEL—REPUBLIC MAKES IT

Consider a pile of red iron ore.

It was mined way up north at the head of the lakes.

It came down the inland seas in a 600-foot freighter.

It was unloaded from the ship by a massive machine, uncanny in its operation.

It was re-loaded on cars and eventually found its way into a Republic Steel Corporation plant, to start the journey

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(Picture of a new "Railcarbus" with the caption "Panels of Republic Galvannealed Steel encase the new "Railcarbus" used by the Hillsboro and Eastern Railroad in Wisconsin")

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from ore to iron to steel to processing, emerging finally as a Republic product.

All of the mills, factories, machinery, and organization that are consolidated under the name of Republic are set up to do just that—to transform red iron ore into things that millions of people use.

These products, and there are literally hundreds of them, may be classified into two major groups.

First are the staple commodities, the "sugar and bread and potatoes" of the steel world. These can be purchased from any one of a dozen or more steel makers. In this group are pig iron, steel bars, sheets and strip, plate, wire, and a whole list of things. The company has built a reputation for quality and as a result has a steady demand for this type of material.

In the other product group are the specialties, the things that can be bought from Republic and Republic only. Here the company occupies an enviable position.

It holds first place in the world as a producer of alloy steels and irons. These include such well known names as Enduro Stainless and Heat Resisting Steels, Agathon Alloy Steel, and Toncan Copper Molybdenum Iron. Then there are other special products and processes which have been developed or are controlled by Republic.

They include the Witherow process of die-rolling of duplicate parts, the Republic process of producing pipe and tubing by electric welding, and the Republic methods of making Sil-Con Electrical Steels. All of these processes are protected by Republic-owned patents.

Alloy materials for Republic steels include vanadium, mined in the High Andes in South America; chromium from Rhodesia in South Africa and from New Caledonia, an island in the South Pacific between Australia and the Fiji Islands; tungsten, mined in the interior of China and carried to the coast by coolies; manganese from India, the Caucasus Mountains and Brazil; nickel from Canada, and moylbdenum from Colorado.

Perhaps you don't know that Republic turns out more stainless steel than any other company in the country. What is it all used for? Who buys it?

Republic's Enduro Stainless Steel is used in some of the world's greatest buildings, the Empire State Building, Chrysler Building, Radio City, and the new building of the Insurance Company of North America. They glisten in the rays of the sun because they are trimmed with Republic stainless—steel that will never lose its bright finish and will wear everlastingly.

Enduro is used in the new bar in the Shoreland Hotel in Chicago. The bar is clean and sanitary, and shines like a mirror. Enduro is used to line a kitchenette in a railway diner.

Furniture, store trimmings, advertising signs, trimmings in modern homes, beer and syrup barrels—all these and countless other things are made of Enduro Stainless Steel.

Agathon Alloy Steel goes to manufacturers of automotive and railroad equipment, tools, and other products in

many lines, who turn this tough steel into useful articles.

Toncan Iron, in one form or another, is used in architectural work, in the manufacture of large tanks and containers, switch boxes, mine cars, railroad cars, furnaces, roofing, siding and culverts.

Republic makes practically every kind of pipe except the one used for smoking. Among products in this field are steam, gas and water pipe, both black and galvanized; reamed and drifted pipe; dry kiln and signal pipe; water well castings: Toncan Cooper Molybdenum Iron pipe; electric weld pipe; all sorts of pipe and tubing for the oil country, and finally, the oil, gas and gasoline pipe-lines that stretch for thousands of miles.

Even the home is a big consumer of Republic pipe. It's used for awning frames, electrical conduit, building columns, fence posts, furniture, heating and ice-making equipment, swings, plumbing, trellises, and a hundred other

things. Republic pipe does its part in making life more pleasant and liveable.

Thirty-eight states specify Republic Galvannealed Steel Sheets for highway markers and signs. These sheets also find a place in kitchen equipment, refrigerators, furniture, washing machines, display cases, building trim, radiator covers, cabinets, street cars, busses and trucks, furnaces and heaters, and finally, the license plates that you buy for the car.

And so far, only a few of Republic products and their uses have even been mentioned! There isn't room, short of a catalog.

For instance, there are open hearth steels and irons; electric furnace steels; Bessemer steels; tool steels; pig

iron; coke and by-products; bar mill products, cold drawn products; culverts; die-rolled products; plates; rail steel products; semi-finished steel; sheet; spikes, strip; tin plate; and wire products.

These materials are mostly used by manufacturers who, in turn, use them in making their finished products. They are the raw material for the automobile builder, railway supply manufacturer, building material producer, heating and ventilating equipment fabricator, and dozens of others.

At the same time Republic, through some of its subsidiaries, also makes finished products. These include such things as nails, nuts and bolts, tacks, rivets, furniture of all sorts, cabinets and office equipment, voting machines, laboratory equipment and beer cases.

From this brief story (and it just scratches the surface as far as Republic is concerned) it is plain to be seen that there are few things in our everyday life in which Republic does not play a part, in one way or another.

It is this great diversity which has helped to make Republic a great company. And a big share of the credit goes to the men in the plants and the mines, who produce and process raw materials into things which supply the needs of millions of people in all parts of the world.

(Picture captioned "Every Toncon Galvanized Sheet is carefully inspected before it goes to the purchaser.")

1,730 REPUBLIC GARDEN PLOTS IN 1933

(Picture showing garden captioned "Republic employees had hundreds of garden plots like this last summer".)

Many a Republic employee was carried back to his boyhood last summer when he started working one of the 1,736 garden plots which were laid out at some of the plants and mines.

It probably reminded him of the days when he helped raise the garden "truck" in the back yard—and when, due to the rapid growth of weeds, he was frequently kept from going fishing or swimming.

The popularity of the Republic gardens was shown by the fact that last year 1,736 plots were planted with rows of waving corn, mealy peas, onions and radishes, carrots and beets and a host of other vegetables. But that is only part of the story. Somewhat over 8,000 people, wives and childrer of Republic gardeners, enjoyed the fruits of these gardens.

In addition to the fun they had in seeing things grow and in working in the soil, the men who cultivated the 1,736 plots saved on their summer food bills, for the market price of the vegetables raised totaled the tidy sum of $19,-562.86, an average of $13.81 per garden.

Under the arrangement with the company, pieces of land were set aside for cultivation. First the soil was carefully tested and put in shape through the addition of fertilizer and limestone screenings. The company furnished the fertilizer and had the land plowed and harrowed and ready for the gardeners. The only expense employees were put to was in the purchase of the seed.

Last year the Warren District led the procession with 285 plots cultivated. The runner-up was Raimund Mine with 250. The top yield was secured at Pettit Mine, where the value of the produce per plot amounted to an even $24.00. The next best was at Union Mine with an average of $22.35.

This year we hope there will be even more gardens than last year. Employees who are interested may arrange for gardens through their Employee Representatives.

(Back Cover)

(Republic Steel Emblem)

TOM GIRDLER SAYS:

You men who have been elected by Republic employees to represent them in collective bargaining have an important responsibility.

I urge every one of you to take this job seriously, giving careful consideration to the viewpoints of both the employees and the management, and remembering that we are all working for the same common purpose—the best interests of everybody connected with Republic Steel Corporation.

The whole spirit of the Employee Representation Plan is one of mutual understanding. I want to assure every Employee Representative that the Company Representatives will co-operate and assist you in adjusting the problems presented by you and the employees you represent.

T. M. Girdler,
Chairman and President,
Republic Steel Corporation

BOARD'S EXHIBIT NO. 26

EMPLOYEE REPRESENTATION
In the Iron and Steel Industry

As set forth by Men and Management before the Senate Committee on Education and Labor

FOREWORD

On April 5 and 6, 1934, in Washington, employees and employers in the steel industry joined together in a vigorous attack on the proposed Wagner Labor Bill before the United States Senate Committee on Education and Labor.

The provisions of this bill were so repugnant to the American principle of harmonious relationships between employers and employees and so out of tune with the friendly cooperation that has grown up over the years between employees and employers in the steel industry, that steel executives and workmen stood side by side in demanding its defeat.

Their testimony presents a true picture of employee relations as they now exist in the steel industry, together with a description of the practical benefits of employee Representation Plans, as viewed by Employees themselves. The Wagner Bill threatened to destroy these plans.

Because of the importance of this subject to every man, woman and child whose likelihood is dependent upon the steel industry, a resume of the testimony of steel employes and executives before the Senate Committee has been printed for distribution throughout the industry.

American Iron and Steel Institute
350 Fifth Ave.
New York

U. S. Senate Committee on Education
and Labor
Washington, D. C. Thursday, April 5, 1934

Statement of Mr. Arthur H. Young
Vice President, United States Steel Corporation

I speak in opposition to the bill now under consideration by your Committee because of reasons and facts arising out of more than a quarter century of experience in personnel and industrial relations work. Starting quite young in the steel mills, at the age of 15, I was working 12 hours a day, proud of the fact I was paid 15 cents an hour—$1.80 a day—the then wage of an adult common laborer.

For many years I worked with my hands, as a leverman, rigger, and roll hand. Later I moved over and slowly upward on management's side, in charge of safety and employment activities in the South Chicago plant of the Illinois Steel Company and later as Director of the American Museum of Safety; then six years as Manager of Industrial Relations for the International Harvester Company, and for nearly 10 years just prior to February 1st (when I went on my present job) I was in charge of Industrial Relations Counselors, Inc. This is a nonprofit organization, underwritten by Mr. John D. Rockefeller, Jr., engaged in research and consulting service on all matters having to do with human relationships in industry.

One of the great developments of recent years has

been the progress toward complete cooperation and the abolition of conflict between the worker and his boss that have characterized industrial relations in the United States of America. Only a few years ago our practices and procedures were eagerly investigated by official governmental missions from England, Australia, France and other countries, who sought "The Secret of High Wages." I had the honor to meet and confer with those missions, and found that government, labor and employer members alike were astounded at the favorable conditions of employment and remuneration of our workers, and likewise at the comraderie existing between men and management in our shops. Hardwood floors, bathrooms, central heat, automobiles and telephones, children at college and paid holidays for workers were startling enough to these visitors, but the "Hello, George—Howdy, Pete" exchange between the workmen in the shop and the officials who were conducting the visitors were to them almost incomprehensible.

This is not the picture of the American workingman that has been painted for you by certain preceding witnesses, proponents of this bill—but it is the situation described by competent, impartial, painstaking seekers of facts after thoroughgoing investigation, and officially stated in the reports of the British group known as the Sir William MacKenzie Mission and the Australian Labor Mission in 1927.

The services of the members of the Committee are so vital to the nation on other matters I cannot presume to take up your time with a complete argument for and description of the Employee Representation or Works Council form of joint relationships in industry. Witnesses that follow me, workers who now are managers, and workers who are spokesmen for their fellow employees, working under that system will convince you of their sincerity of

purpose, their freedom of action and speech, and the beneficial results obtained. But I feel I must correct untruthful statements and improper implications made before your Committee regarding the plans in effect in the subsidiary plants of the United States Steel Corporation.

These plans are all very similar in fundamental structure. In that respect they do not differ from the by-laws and the charters issued to the hundreds of local unions by the international union headquarters. But these plans are similar after the representatives revise them —they are in effect only after the representatives of the employees and of the management have mutually agreed on their fairness and their practicality. In that respect their sameness is distinguished from the uniformity of union by-laws. A further point of difference with trade union by-laws is that they are in effect only after a majority of the employees at any plant, voting by secret ballot in an election exclusively conducted by the employees, elect to accept them as the basis for their joint relationships in all matters of mutual interest, far transcending the ordinary scope of so-called "collective bargaining."

There are no membership dues, there is no form of organization to which they subscribe as members. They indicate their participation in the plan by participation in the nominating ballots and election ballots annually, by contact with their representative at town meetings of departments held after the regular representative meetings have been held.

Senator Davis: Do you know the number that belong to these different organizations?

Mr. Young: More than 160,000 of the employees (of the U. S. Steel Corporation) have voted recently at elections for the acceptance of this plan.

Senator Davis: Do they have regular meetings?

Mr. Young: The employee representatives meet regularly once a month by themselves, or specially if they desire, and alternately with representatives of the management.

The Chairman: The workers meet once a year and elect their representatives?

Mr. Young: Yes, sir.

The Chairman: Senator Davis would like to know what percentage of the employees vote at the annual meetings.

Mr. Young: All employees have the right to vote. There are no restrictions on the right of suffrage. The participation in the balloting may range anywhere from 85 per cent to a full 100 per cent of the employees affected in balloting for their representatives.

The Chairman: And the organization consists then of officers or representatives elected by the employees, who carry on, who hold monthly meetings and carry on negotiations relating to collective bargaining with the employers or with the management of each plant?

Mr. Young: Yes, sir.

The Chairman: There has been, at some time, an opportunity given to the employees in each plant to determine the kind of organization they want?

Mr. Young: Entirely so, sir.

Mr. Chairman: And they did that by ballot?

Mr. Young: They did that by ballot.

Now, many statements have been made before your Committee to the effect that these elections are dominated and controlled by the employer, or that the employees have no opportunity of considering alternatives. It may be of interest to you to know that, preceding these elections at many of our plants, the employees were circularized with literature of the type I hand you herewith. In some cases

the employees were solicited by opponents of the Employee Representation plan in a house-to-house canvass. At one plant the handbills were showered from an airplane especially chartered for the purpose. It would seem to me that the indications point to more coercion and "sales opposition" from outside agencies than to pressure from the employer. As a matter of fact, our supervisors were specifically ordered not to make any attempt to unfairly influence the attitude of the employees.

Now let me call your attention to some principal features of these plans, mostly common to all:

Article III, Section 1.—No restriction or limitation in the choice of representatives, save only that they may not be company officials.

Section 2.—All employees enrolled on the company's payrolls are entitled to vote.

Article IV. All nominations and elections are by secret ballot under the direction of the Committee on Rules, which is composed exclusively of employees.

Article VII. The employee representatives meet regularly or in special meetings by themselves at least once a month, and alternately in joint council with management.

Section 5.—Time necessarily lost in performance of duties is compensated by the company.

Article IX. A direct, logical and efficient machinery for the adjustment of any matter is provided. Failing conclusive action of the sequential steps in adjustment, arbitration may be had. Neither the right to strike, nor the right to close the plants is abridged.

Article XI. Amendments relating exclusively to employee organization or procedure are exclusively the function of the employee representatives.

Article XII. The plan can be terminated only by the employees.

Is there anywhere in this document anything that smacks of coercion, intimidation, domination? Absolutely no! But you will find evidence of initiation, participation, influence in the formation and compensation for services performed. And, gentlemen, these acts, the ordinary, everyday intercourse between men and management who mutually respect each other, are, under the terms of this bill, made "unfair labor practices," for which I and my fellow managers and our associates in these Works Councils may be punished by fine or imprisonment. I refer to my "associates in these works councils," and, gentlemen, I would say that term is truly descriptive of the status to which American workers and their employers have risen. Just as the original concept of the work relationship back in the Dark Ages was that of owner and slave, and gradually evolved to that of master and servants, so, too, has it in turn evolved to one of associates, jointly interested in a common enterprise for their mutual advantage.

It is a homely, but peculiarly applicable simile, to liken the development of sound and harmonious relationships between men and management to the working out of a sound and harmonious relationship in marriage between a man and his wife. Both depend upon a mutual conviction that their interests in life are largely in common, at least to the extent that they should form an alliance. Both require for fulfillment at least a mutual respect of the contracting parties for each other, and preferably real admiration. Both require that, out of this commonalty of interest and mutual respect, there shall develop a "give and take" attitude in their every day association together, and both require that, out of the alliance, there shall develop for each part, an increasing enrichment of their lives, and social economic security.

It is in the way that a man and a woman, by themselves, acquire these attributes that, in 99 out of a hundred cases, a satisfactory and happy married life emerges. No impersonal third party can lay down arbitrary laws or rules that will govern the result—it is the way in which they live together, day by day, that determines. Occasionally a friend of one or both may offer helpful advice or admonition. Even under the flag of friendship, the overtures may be hazardous—inevitably it is so if the counselor be "suspect" by either party.

Just so is it in the case of industrial relations. Men and management, convinced of their mutuality of interest, maintaining a reciprocated respect for each other, determine by their every-day conduct the wholesomeness of the union. Occasionally a friend, known to them and accepted by them (such as their Code Authority) may offer suggestions or reproof to good advantage—but it is no more possible to set up a National Board to lay down the law and the gospel to all employees and all managers in all industries in this far-flung land of ours, than it is to set up a similar Board to minister to all married couples.

It is trite to say that the human factor is the factor of greatest importance in industry. Capital without labor is helpless, and labor without capital would relegate our civilization to barbarism. Clearly, the two must serve in common, and with mutually purposeful direction. By and large, the facts prove that this is being done and by devices of proven value. To ignore the significant results already achieved—to cast aside our present media of accomplishment and substitute new and untried and unwholesome methods is not the part of statesmen. And, gentlemen, this is a problem for statesmen, for in this admittedly industrial nation of ours, he who contributes to the solution of the problems of industrial relationships, contributes to the economic, political and social well-being of the na-

tion no less than those who seek by statutes of morality or international treaties of amity so to do.

Gentlemen, I am sure we would all agree that the one great and all-sufficing rule for the conduct of human relationships in industry is that precept given us by the Carpenter of Nazareth—"As ye would that men should do unto you—do ye also unto them." Many men try honestly and conscientiously today to apply this rule, but frequently it fails—not because of the rule, but because of mortal man's limitations. The Giver of the Golden Rule was divine—He knew that which men would wish done unto them. Many of us can only make our best guess as to what others would wish done unto them. Perhaps the rule should, for us, be written—"As ye would that men should do unto you, were ye such as they do ye also unto them."

Gentlemen, I say to you in all the sincerity at my command, the Works Council Plan is likewise a supplement to the Golden Rule—it is the device by which management may substitute for its best guess as to the desires of the employees the direct and certain voice of the chosen representatives of the employees, and likewise may the employees have available to them the voice and counsel of the employer.

There are those of us in both the ranks of management and workers who truly believe in and seek to apply the Golden Rule, and for them Employee Representation more surely spells accomplishment.

STATEMENT OF MR. CHARLES R. HOOK, PRESIDENT, AMERICAN ROLLING MILL COMPANY

In the summer of 1904, after I had occupied the position of superintendent of a sheet steel plant for more than

six months and had reached very definite conclusions with respect to employee and employer relationship under a national union agreement, I came to the conclusion that there was only one way to prevent grievances and disputes and that was by local plant representation of employees elected by the employees of that plant by secret ballot and dealing with the management immediately and with real knowledge of the facts.

The local lodge of the Amalgamated Association of Iron, Steel and Tin Plate Workers had what was known as a "Mill Committee," but I soon found that this "Mill Committee" was nothing but a grievance committee. It operated only when, as and if there was a grievance.

I believed then, as I do now, most sincerely, that there is only one way to prevent grievances and disputes and that is for management to meet with representatives of their own employees regularly and in the spirit of friendship and good will to discuss and consider problems of mutual interest, in order that they might arrive at fair and sound conclusions before situations develop to the point that they become grievances and lead to disputes.

Gentlemen of the Committee, I deplore the title of the act. We don't want labor disputes. What we want and what I claim has been fast developing in this country as a result of the sound plans of employee representation, is a modern method for the careful consideration and study, by those vitally and directly interested, of the many problems of our complex industrial life; first, so that safe and good working conditions are provided and, secondly, that every possible encouragement be given to individual initiative and quality production through adequate and fair compensation.

From the summer of 1904, when I asked the union to elect the first committee, termed for the want of a better

name "an advisory committee," until this day, there has been elected each year, by secret ballot, committees in every department of every plant, with the result that in the 33 years of the existence of the company which it is my privilege to represent, we have never, to my knowledge, had a dispute with our own employees which has resulted in the loss of one day's work in any department in any plant.

When this plan of negotiation was started, now almost 30 years ago, I met with the committee every Saturday night for some weeks, as the result of which we found that many of the problems which we were inclined to believe were of serious import as judged from our side of the fence, became insignificant and easily settled when understood one by the other.

The successful operation of this plan of employee representation was accomplished, not because of, but in spite of the national union with which we had had an agreement in one department of one plant for some 28 years.

Undoubtedly the most conclusive evidence that our men believed they had been fairly dealt with, and had confidence that this same fair dealing would be continued, occurred in the Middletown sheet mill department in September, 1929. The Middletown plant had been completely rebuilt and a continuous sheet mill installed, entirely changing the manufacturing processes in the sheet mill department.

In June of that year an agreement had been prepared and submitted to the sheet mill men. It was finally adopted and signed by the Advisory Committee of that department, as at that time no one, including the Amalgamated officials themselves, was able to write a scale adaptable to the new process.

Officials of the Amalgamated Association were present when the new agreement made direct with our men was signed. Some 60 days after the new plan had been in successful operation, those officials returned to Middletown and endeavored to get the workers in that department to abrogate their agreement, which they refused to do.

On the 18th day of September the national officials of The Amalgamated Association of Iron, Steel and Tin Workers ordered the men to strike and to their everlasting credit be it said, the men were faithful to their trust and refused to go out. These men had been loyal members of this national union for many years, but this attempt of their national officials to bring dishonor to them settled the fate of the Amalgamated Association in our plant.

Of 690 men then employed, only 37 failed to be at their post at their appointed time. Six of these 37 were either sick and could not come out or were kept from coming out for some unavoidable reason, and these six came to work the next day. Ten of the 31 who failed to appear applied for reinstatement within 10 days. Not one minute's time or one ton of production was lost, although every method of abuse and coercion known to the professional union organizer was used to get these men to break their agreement and leave their jobs.

I want to introduce into the record at this time, gentlemen, an exhibit in the form of a letter which came to me voluntarily and which illustrates the kind of compulsion there is in the industry with respect to the employees' representatives. This was sent to me at the Mayflower Hotel. It says:

"Dear Mr. Hook:

"From the Employee Representative, Finishing Mill.

"Due to the fact the Committee was discussing

the Wagner bill, and thought you would be interested to know how our committee felt that had worked under both plans, union and employee representation, and now we are 100 per cent against the Wagner bill, and hope you are successful in defeating it, as we are very thankful of what you are doing."

Now, I had not any more idea that was coming to me than you. That is signed by the committee in the sheet mills department, representing that group of some 700 men.

I bring this to your attention because Mr. Green and others have stated before this Committee that plans of employee representation, to which they refer as "company unions," are dominated and controlled by company officials.

We recognize the right and are heartily in favor of permitting employees to bargain collectively in any manner they choose and through any representatives they might elect. Their decision with respect to their form of organization and their choice of representatives should be reached without improper influence, coercion or abuse upon the part of management or any outside organization, particularly one which is not held legally responsible for its acts.

The fact that this proposed legislation permits of the closed shop definitely discloses the real purpose of the Act. No employee should be forced to join any organization because the majority of his fellow workers choose to be members of that organization or because his employer elects to agree to such a provision with an organization to which a majority of his employees belong.

In my opinion, a proper relationship between men and management cannot be accomplished by legislation. Without mutual understanding, confidence and respect, you can-

not have satisfactory and friendly relationships.

What disturbs me most about this proposed legislation is that there is an apparent assumption that the interests of the employer and employee are not mutual but antagonistic. I am quite confident that the distinguished Senator and his associate proponents of this legislation have been influenced largely and unfortunately because of certain experiences they have had as members of and in connection with the National Labor Board, set up to handle disputes arising as a result of complaints and alleged violations of Section 7 (a) of the National Industrial Recovery Act.

We need no more legislation; we have in the N. I. R. A. all the protection that is required to safeguard the interests of employees, if impartially administered.

The wage policy of the national labor unions with which I have had any experience has been antiquated and non-constructive. They depend upon coercion to force the highest possible wage rates without due regard for individual skill, responsibility, or the ability of industry to pay. Frequently, this condition leads to unfair wage treatment within the closed-shop organization. To set wages on a fair and scientific basis requires not only an understanding of the economics of the business, but long experience in rate setting.

For years, the American workman has enjoyed more conveniences, privileges, and luxuries, as a result of the co-operative spirit which has existed in American industry under the American plan than in any other country in the world. The Government has an obligation to its citizens not to do anything which may jeopardize our standards of living. Under the terms of this Bill, I do not see how any employer can continue to provide such beneficial activities as group life insurance, sick and death benefits, free med-

ical services, free parks and playgrounds, bonuses to workmen, etc., without violating the law and being subject to a severe penalty.

To provide conditions that would not permit me, or any other member of our management, to consult with our employees concerning our common mutual problems in the profitable operation of the business is contrary to American principles. In conclusion, I ask you to show your faith in the industrial system under which America has become the envy of the world by suppressing this dangerous legislation.

May I say to you that there can be no great work done of any kind without much of cooperation and there cannot be real cooperation until there is first confidence built upon a foundation of understanding.

STATEMENT OF MR. ERNEST T. WEIR, CHAIRMAN, NATIONAL STEEL CORPORATION

Mr. Chairman and gentlemen, members of the Committee:

I have been in the steel business all my life. I began working in a mill at the age of sixteen, and I think I know the viewpoint of the steel workers about labor organizations and wages. I was one of the original organizers of the Weirton Steel Company, the principal plant of which is at Weirton, West Virginia.

From the day our business was started in Clarksburg, West Virginia, in 1905—and then extended to Weirton in 1910—right up to within a few years ago my office was at the mills as was also that of my brother and John C. Williams, both of whom were associated with me in the de-

velopment of this business from its beginning. This gave us a direct contact with our employees and our daily operations, the three of us being personally acquainted with a great many of our men at all times.

I believe the working man is primarily interested in his wages. Eighty per cent of our employees have no interest in labor organizations. They want to be left alone, and provided with work and the opportunity to earn good wages under good working conditions. What we have developed over a period of years in the way of a plant and organization, has been done without the aid of labor unions, without any form of espionage and practically no labor trouble.

There has never been a time that our employees could not confer with us about any matter of interest to them, and we have been free from the wasteful practices and uneconomic domination of union labor leaders. Now it is proposed to pass a law, the effect of which would be to drive a great many employees into national labor unions, whether they desire them or not.

The average employee joins a union only because he is told by union organizers that he will not have a job if the union wins, or that jobs will be allotted according to the numbers on the union membership cards. Many of them sign cards because of coercion and intimidation, and yet this present bill lays no restraint upon coercion or intimidation by labor unions.

They are to be free to carry on any kind of propaganda they see fit but it is to be an offense if an employer even indicates his attitude toward labor union membership. I have had numbers of our employees come to me and ask me if it was going to be necessary in the future to join a labor union to hold their jobs as they had been told this would be the case. This bill would make it an illegal prac-

tice for an employer to express an opinion on that subject.

If 51% of the employees of a plant joined the union, that union would represent all of the employees, and the other 49%, although not members of the union, would have no one to represent them in dealing with the company. Their only right to be heard or to participate in the councils of the employees would be to join the union, and that is the purpose of this legislation, in my opinion.

Senator Wagner has been quoted as saying that the purpose of this bill is to make employee representation plans illegal. In my opinion, employee representation plans can accomplish far more for the workers than any national union can accomplish. The problems that affect the worker are not all wage problems. An analysis of 505 matters arising through our employee representatives in the last half of 1933 indicates that 296 of them related to differences in wage, wage differentials, piecework or tonnage rates, and the remainder of them had to do with matters of safety, economy and waste, health and sanitation, housing and living conditions, education, athletics, public relations, etc. Many of these questions are just as vital to the men as wage questions and they will receive much better attention from a local organization of the employees than they could receive from the officers of national unions.

One of the methods proposed in the Bill of making employee representation plans illegal is to forbid the employer from paying for the time of an employee representative spent in his committee work. The evident intention is to give the impression that the amount of money paid by the employer to help support the employee representation plan was so large as to make it a factor of great influence with the representatives in favoring the employer as against the men whom they represent. The figures . . . show that the amount of money actually spent in carrying

on this work in our company represented a cost of about $1.00 per man, or 12½ cents per month. This compensation for lost time is payable to whomever is elected and, therefore, could have no effect upon the attitude of the representative toward the company. I cannot, therefore, be a means of favoritism and the only purpose of putting such a clause in this act is to attempt to exterminate the company union in favor of national unions.

If our men had belonged to a national union during this period of eight months, there would have been paid in dues, without counting initiation fees, out of the pockets of the workmen instead of the Company, approximately $150,000.00, none of which would have been subject to public accounting. If, in seeking to protect my men from the domination and control of national unions I am a "public enemy who ought to be pilloried," as Mr. Green referred to me, then I am proud to be so regarded.

I think it is a direct insult to the workers in our plants that it should be presumed by Senator Wagner or anybody else that their allegiance can be purchased not only by this insignificant sum but for any sum of money or other favors. Employee representatives are keenly interested in their work, realizing the responsibility which rests upon them, and there is no danger of them being coerced by any company into failing to protect the interests of the men by whom they were elected.

The worker today is fully aware of his rights and is giving serious thought and consideration to the improvement of his position and his relations with his employer; and even were the employer inclined to try to coerce him it would not be possible. Let me say further that I believe the employer today is not interested in the coercion of his employees. He wants to deal with them on a fair and constructive basis and one that will be of mutual benefit to the

employee and to the industry. I have had much experience with national labor unions, and as constituted, officered, and operated today peace in industry with them is impossible.

I have taken the trouble to have the average daily earnings of Mr. Long, who appeared before you and referred to the Weirton case, computed. He averaged in 1933 for every day he worked over $10.00 a day and had an average as high as $14.00 a day during 1928. Another of the union men who came down here to appear before you was paid for every day he worked this year an average of well over $17.00 a day. These men are not down here protesting against any mistreatment of labor by the Weirton Steel Company. They are here because they are paid officers and organizers for the union, which is trying to take about $250,000 a year in dues out of our employees.

Senator Wagner claims a National Labor Board with sweeping authority is necessary to punish employers who refuse to comply with Section 7A. The present act has adequate remedies.

The proposed Wagner bill in my opinion, presents an unheard of spectacle, in the guise of a Court of Justice. There will be two parties before the Court, the employer and the employee, represented by the Labor Union. The Board may make order operating upon the employer, it may assess penalties against him and order the reinstatement of employees, and yet it has no power to restrain the union, assess damages against it, or in any manner, punish the union for its acts. What sort of justice would this be? We will have to abandon our American concept of even-handed justice if such a tribunal is constituted by this act.

The act makes it legal to agree that no one may be employed except members of a union, but makes it illegal to agree that no one may be employed except non-union

men. The obvious purpose of such a one-sided provision is to establish by law the closed shop and, after all, that is the issue in this legislation.

When the unions have power to dictate a closed shop, they have reached a point where they say: "You must join our union or starve." This is tyranny—it is un-American. To belong to a union is all right, but to say that the man who does not belong to a union shall not be allowed to labor, is all wrong.

I cannot believe that the people of this country are ready to put their stamp of approval by legislation upon the closed shop in industry, and if it is accomplished by law I predict unending industrial troubles. It will mean the end of the fine spirit of cooperation between employers and employees, which has been growing through employee representation plans.

I believe industrial peace lies in the direction of cooperation between employers and employees, and not antagonism. The purpose of this bill is to drive a wedge between the employer and the employee, to herd them into two different camps as if their interests were always antagonistic. Such a policy is uneconomic and dangerous to our industrial welfare.

Not only as an employer but as one interested in the social welfare of our people, I am keenly interested in the development of such activities as will insure that freedom of action to the individual which will give him a definite opportunity to improve his own position and, naturally, that of those dependent upon him. I believe this bill will destroy such individual freedom and strongly recommend to this Committee that this destructive bill be defeated.

STATEMENT OF MR. JOHN LARKIN, GENERAL CHAIRMAN, EMPLOYEES' REPRESENTATIVES OF THE WEIRTON STEEL COMPANY

Mr. Chairman and gentlemen: I am General Chairman of the Employees' Representatives of the Weirton Steel Company, and I am here because various witnesses appearing before this Committee have claimed that the plans of employee representation in the Weirton Steel Company and other companies were not the free choice of the employees and are company dominated. While I cannot speak for any other company, as I have been employed by the Weirton Steel Company for 5 years, I do know that the employee representation plan at the Weirton Steel Company is not company dominated in any way, and I desire to make a statement about my participation in that case.

The plan of electing employee representatives in our company was not forced upon us by the management. It was put in effect in June of 1933. For 8 years previous to that there had been at Weirton what was known as the Employees' Relief and Beneficial Association, which had 23 directors, elected by the employees each year by secret ballot. Our representation plan was originally submitted by the management to the representatives of the Employees' Relief and Beneficial Association then in office and they and other employees who had been directors of the Employees' Relief and Beneficial Association, as well as foremen and superintendents, discussed it with the various employees. There was a unanimous opinion in favor of its adoption and intense interest in the plan. I personally discussed it with everybody with whom I came in contact in the mill in which I am employed and found not a single objection anywhere to its adoption.

The directors and ex-directors of the Employees' Re-

lief and Beneficial Association, together with other employees, formed themselves into steering committees and chose the first election boards to conduct the first election of Employees' Representatives. In that election in June, 9,866 employees, out of 11,190 eligible to vote, or a percentage of 88.4 per cent, participated and 49 representatives were chosen. After our elections the various representatives meet together in conference and elect a General Chairman, a General Secretary and various committees, the principal ones of which are Committee on Rules, Committee on Appeals, and Committee on Finance.

The by-laws provide that the Rules Committee shall outline the rules and procedure of conducting elections. The next election after our organization was scheduled for December 1933. Committees of five men were selected to act as clerks and tellers at the polls. No man is permitted to serve on an election board who is a candidate. The by-laws provide that the election takes place in the second week of December of each year, nominations on Monday and election on Friday. The election boards have in their possession lists of eligible voters. The voting is by secret ballot and the voter may vote either for an employee or a non-employee, for himself or Mussolini, if he desires.

The Chairman: How is your organization financed?

Mr. Larkin: It is financed by $25 paid by the company per month for every representative that is elected.

The Chairman: And this takes care of all the expenses? How about the expense of printing ballots and the arranging of elections?

Mr. Larkin: Why, each man is assessed. The company pays an assessment of 50 cents per head. The representatives asked the company to pay for each

and every man that works in the company 50 cents into the fund to finance the organization.

Senator Davis: Fifty cents a month?

Mr. Larkin: Fifty cents a year, for every employee that is eligible to vote.

The Chairman: Of course, you know an objection is made here by the proponents of this bill to the system of employers paying the expenses of these company organizations.

Mr. Larkin: Well, to explain that, there are a lot of men that work in the various mills on laboring jobs, and such as that, and it would be a crime to take money off of a man making 40 cents or 42½ cents an hour working 40 hours a week to pay to any institution, would it not? Would not it be better to get somebody to finance a thing like that? If they had to pay into that institution it would be just robbing them.

Senator Davis: How many employees are there in the strip mill?

Mr. Larkin: There are 1463 men.

Senator Davis: Now, that applies to everybody?

Mr. Larkin: That does not apply to the bosses or anything, just the men that are allowed to vote. Nobody has a right to vote who has a right to hire or fire. They are not listed here, the salaried employees are not listed, only the eligible men that work, the 1463.

The Chairman: Are you expressing the sentiment here of the other 48 representatives?

Mr. Larkin: I certainly am. They all helped to write this letter, every one of them. The different unions sent suggestions in and I wrote it off those suggestions.

The Chairman: You read it to these representatives, this statement, before you read it here?

Mr. Larkin: Yes, sir.

The Chairman: And they approved it?
Mr. Larkin: Yes, sir.
The Chairman: That is all.

STATEMENT OF MR. TOM M. GIRDLER, CHAIRMAN AND PRESIDENT, REPUBLIC STEEL CORPORATION

We are opposed to the Wagner bill. It is designed to interfere with direct contact between management and employees and to destroy the friendly relations which now exist. After reading the bill, I think its purpose is to unionize all industry and subject our plants to the domination of national labor unions. This would be a great calamity.

I feel that my experience in dealing with labor entitles me to express an opinion on this subject. I have always worked since I was a boy. I worked in a cement plant during vacation while I was going to college. I began work in a steel plant at Pittsburgh in 1902, and was presently made a foreman. Since then I have been continuously in charge of labor. My experience covers work at various plants, including seven years in the mills of the Atlantic Steel Company at Atlanta, Georgia. I spent sixteen years with the Jones & Laughlin Steel Corporation at Pittsburgh, beginning as Assistant Superintendent in one of its plants and concluding as president of the corporation in charge of 25,000 employees.

For a number of years I was superintendent of the Aliquippa plant of the Jones & Laughlin Company, located on the Ohio River. This plant employed anywhere from 5,000 to 10,000 men according to the condition of business.

All of the plants of that company were operated on the open-shop basis. We did not have any labor union to tell us what to do, but I made it my business to know the needs of my men. I previously had personal experience working in steel plants, and I thought then and I think now, that I know something about how the workers in steel plants feel about these matters.

My door was open for employees to come to me at any time if they had anything to say, and they did come, singly and in groups. I became acquainted with them and could call hundreds of them by name. I kept in close touch with the work of the plant and impressed upon my staff and all our superintendents and foremen the necessity and the importance of keeping alive to the needs and wishes of our employees. We never had labor troubles of any consequence, even though they were sometimes occurring in the plants of other companies, especially in 1919. I attribute this result to the direct personal contact between our management and our men.

I think that the managers of steel companies generally have long since found that it is for the best interests of their companies to adopt this course in dealing with labor problems, wholly aside from any other consideration. I am personally acquainted with the officers of the large steel companies and many of the smaller ones, and know they are trying to handle this subject in the same way that I am.

It is the general belief of the officers of steel companies that the only successful way to handle the labor problem is through direct personal contact between management and employees. This is the principle on which I have always acted.

The Wagner bill would destroy this personal relation.

It invites the men to select a labor union to represent them. One of the stock arguments of labor leaders is that the workers ought to have, as Mr. John L. Lewis said, "the opportunity of availing themselves of skilled counsel in the form of economists, representatives of National Labor organizations, attorneys or any other agents, even though they are not employed in the plant."

I know something about the way Labor Unions work, and the business agents whom they put forward to deal with employers are certainly not economists or lawyers. The arguments which they use are not such as are found in books. They undoubtedly represent national labor organizations, but this is a disadvantage to the workers, as these business agents are acting under the direction of men who are much more interested in the development of their national organization than they are in solving the problems of any particular plant.

The Employee Representation Plans that have been adopted since the passage of the National Recovery Act provide generally for the selection of individual representatives as required by the Act. They are not company unions or unions in any sense of the word. These plans provide a method of collective bargaining on wages, hours and working conditions, between management and employees through their own elected representatives, and are so designed to provide a means for collective expression of opinion for negotiation.

There has been a great deal of wild and extravagant talk before this Committee about the exercise of coercion and intimidation by employers to make their employees adopt this plan. I desire to say that so far as our company is concerned such statements are absolutely untrue. We did not bring any pressure to bear upon our employees

to compel the adoption of this plan, and since it adoption we have not sought to influence in any way the action of these representatives.

I will not take the time to explain the details of our system. That will be done by the employee representatives themselves. But there are two points on which I desire to comment. I understand it has been repeatedly stated at this hearing that this plan is in conflict with the law because it provides that the representatives selected shall be employees of the company.

In the first place, I have been told by my counsel that the Federal Court in Chicago has held that this clause does not conflict with the National Recovery Act, but is perfectly legal.

In the second place it is not surprising that in the original draft of any plan there might be clauses which experience would demonstrate should be revised. Even the Constitution of the United States has been amended 21 times.

The other point on which I wish to comment is the charge that employers have exercised undue influence in the selection of representatives. This statement is not true as far as our company is concerned. Nominations were made by secret ballot and the vote on the nominees so chosen was conducted by secret ballot. The only part taken by the company in these elections was to furnish ballots, ballot boxes, supplies and places for the men to vote. The conduct of the elections was entirely in the hands of the men. I have already said that since the election of these representatives this company has exercised no influence upon their action. Before I leave this subject I desire to amplify that statement. Anyone who thinks that these representatives, chosen by secret vote to

represent their fellow workers would be overawed in dealing with their foreman, superintendent or even the president of the company, certainly does not understand the independence of steel plant workers. These representatives handle matters referred to them by the men in the group they represent. They meet by themselves and then after that meeting join with the company representatives in a meeting in which they discuss the matters presented by their constituents.

In connection with these meetings, 785 meetings were held and the total attendance at these meetings was 6968. The total amount of money paid by the company on account of time spent at these meetings by representatives averaged approximately 43 cents per employee for 8 months. If the employees were required to pay dues to the American Federation of Labor during these 8 months, it would have cost each employee $8.00, or total cost to all employees of $272,000.

These figures clearly indicate that any law which makes it impossible for the company to pay wages to employee representatives for time lost on account of attendance at meetings, immediately imposes a burden of expense on employees if they act through a union.

I understand that it has been repeatedly stated before your Committee that many employees who wanted to join the American Federation of Labor or some of its subsidiary unions, have been discharged by employers. I desire to state that, although I have always known that there have been more or less union men working in plants in my charge. I have never fired an employee, either before or since the adoption of the act, simply because he was a labor union man.

If the Wagner bill is part of a New Deal, it is certainly not part of a Fair Deal.

Senator Wagner may call this a bill "to equalize the bargaining power of employers and employees;" but I call it a bill to tie the hands of employers and turn industry over to the American Federation of Labor.

I shall not, of course, attempt to discuss legal procedure, but the very next section of this Act authorizes the United States Courts to issue injunctions to restrain acts of employers as defined in Section 5, but no provision is made for issuing injunctions against labor unions. I am told that under the Norris-La Guardia Anti-Injunction law the right of employers to secure injunctions against unfair acts by labor unions has been denied. If you are going to deal fairly with this subject I should think the same rights and remedies should be given to both sides.

Finally, it is declared to be an unfair practice for employers to "engage in any discriminatory practice as to wage or hour differentials, advancement, demotion, higher tenure of employment, reinstatement, or any other condition of employment, which encourages membership or nonmembership in any labor organization."

Under this clause practically every change made in the work of a plant employee becomes immediately a disputed question if he is a member of a labor union. No matter how strongly the employer may testify that such changes were made solely according to the merit or demerit of the worker, we must expect a controversy, and under the provisions of this bill creating a National Labor Board, with its principal office in Washington, we are subject to be called there at substantial expense and inconvenience for the determination of a question which any experienced plant superintendent could dispose of fairly, satisfactorily and promptly under the present system.

I am told, for, of course, I have not had time to read the entire transcript of this hearing, that many speakers in favor of the bill have undertaken to convince you that the workers themselves resent the Employee Representation Plan and have flocked to the American Federation of Labor requesting to be taken into that organization. This is absolutely untrue, as far as we are concerned. The facts are that promptly upon the enactment of the National Recovery Act the American Federation of Labor deluged the country with paid professional organizers whose duty it was to set up organizations in places where the American Federation of Labor had not obtained a footing.

I can readily understand the efforts of the leaders of the great national unions to seize this opportunity to try to unionize industry. The annual revenue to be derived from union dues, even when paid at the rate of $1 per month, reaches large totals. For every million men which can be enrolled in these organizations, they will receive, if all are paying dues $10,000,000 to $12,000,000. Mr. William Green has told this committee that the present membership of the American Federation of Labor is in excess of 3 million. This would mean an income of $36,000,000 each year. No political party in this country ever had such an annual revenue with which to build up and maintain its organization.

Just a word more about collecting dues. If the workers are so anxious to join the American Federation of Labor, why should it be necessary for these unions to obtain a compulsory check-off to enforce collection of dues? And yet that is always one of the vital issues in every labor controversy. I know from experience that the great majority do not want to pay union dues, and will not do so except under coercion. Our plant workers are intelligent. They know that these dues reach large amounts,

and they have a pretty good idea as to who is getting the most benefit from them, even though an accounting is seldom, if ever, published by the union.

The steel companies are just beginning to emerge from the most serious business depression the industry has ever known. Their losses have been stupendous. Under the National Recovery Act the better conditions which have resulted from somewhat improved prices and much larger volume of business have been to a large degree offset by the increased cost of operation. The passage of the Wagner bill with the consequent labor troubles that are sure to follow will add an intolerable burden to this industry from which I think we can justly ask you to protect us.

STATEMENT OF MR. J. M. LARKIN, VICE-PRESIDENT, BETHLEHEM STEEL COMPANY

Mr. Chairman and Gentlemen of the Committee: I am appearing before your Committee in opposition to the Wagner bill, because I fear that it would legislate out of existence plans of employee representation which are in effect among the employees of many industries in this country, including employees of the company that I represent, and which I know to be good from the point of view of the employees.

Such employee representation plans have been in operation among the employees of our company for more than fifteen years. They have provided a happy and successful working arrangement which our men and our management have found mutually advantageous and satisfactory during that period, and we are wholly opposed to any legislation which would destroy or adversely affect them.

Our plans were adopted because it was believed that they provide the most effective form of handling labor relationships. They were not adopted, as some critics have charged, as a device to forestall unionism and this was made clear at their inception fifteen years ago.

The purpose of the employee representation plans is to establish a continuous day-to-day channel of communication between management and men. They aim to set up a method whereby all complaints can be quickly heard and adjusted and all suggestions can be considered on their merits, and whereby the men can elect their representatives without influence from the management, so that the dealings will be clean-cut and on a sound basis.

The underlying philosophy of the employee representation plans is that the best interests of labor can be served by having the employee and employer sit down together in a friendly and constructive atmosphere and, with a first-hand practical knowledge of their problems, work out a fair and equitable solution. Therein lies the strength of employee representation as contrasted with other forms of collective bargaining which seek to organize employees and employers into separate camps with drawn battle lines. This was the condition which existed in industry thirty years ago. It is a condition to which we must not revert.

This employee representation idea, of course, is not new. Scores of plans have been in effect for many years, and the criticism of them that has recently developed is due to a large extent to the resistance that the employees themselves have shown to the efforts to organize them which the union leaders have made.

Back in the early post-war years, with their unsettled labor conditions, these plans were already in effect in a

number of companies. In that period President Wilson created his Second Industrial Conference, which was called upon to study the cause of industrial unrest and to suggest measures for preventing it. It is significant that such Conference made a report in which it recommended employee representation plans as a practical method of fair and effective collective bargaining.

Now, there are several principles with respect to employee representation which are fundamental to its success from any point of view. The first of these is the independence of the representatives. There has been a great deal of dust raised about company domination, and it is assumed by some people that every such plan is dominated by the employer company. That is very far from the truth. On the contrary it is generally recognized by employers that, if these plans are to be of any value to any one, they must provide a forum for free and open discussion of all problems affecting labor, and no company which has had the long and satisfactory relationship with its employees that our company has had would think of denying them the fullest freedom of action in this regard.

Business men have some common sense. They know that they cannot deceive their employees and at the same time preserve their loyalty and good will. No experienced management would attempt to establish a thoroughly dominated company union, with representatives picked out by them for the purpose of scenery. Nothing would be accomplished by such a set-up, and business men know it. They know that if the plans are to operate effectively they must have the support and confidence of the employees.

In dealing with labor as well as in other relationships sincerity and honesty of purposes are the only principles

that pay in the long run. That may sound rather obvious and old-fashioned, but it is a good rule of successful business operation, which is not going to change.

From their inception fifteen years ago, our employee representation plans have operated on a fair and aboveboard basis. They have provided to our employees an opportunity for collective bargaining absolutely free from domination or intimidation and a ready means by which their employment problems have been and are solved.

Our plans expressly provide that no employee representative shall be discriminated against for his activities in representing his constituents. They give the representatives the right to appeal any case to the Department of Labor of the state in which the particular plant is located, or to the United States Department of Labor. I do not see how there can be any guarantee better than that. In fact, I think that there is a danger of our forgetting that in the United States Department of Labor we already have a fair tribunal which should command the respect of the American public.

Another major principle in our employee representation plans is that of mutual participation in discussions of all problems affecting the employees and the management. This is vital to the success of the plans. It is the very feature which distinguishes them as a method of joint and effective cooperation, as compared with the battlefront method, of settling disputes.

Mutual participation is a two-way street, as much a benefit to the men as it is to the employer. It is an advantage to the men to be able to sit down with an equal number of representatives from the management to discuss face to face on a friendly basis the various problems

which arise. If management refuses such participation, it should certainly be criticized for so doing.

But management also desires it, because it believes that an employee who is informed of his employer's policies and problems and is treated fairly will be a satisfied, and, therefore, a better worker.

In our plans the employee committees are entirely free to meet by themselves, but, as a matter of general practice, the quick and effective route of working out the current problem is found to be in the meeting of joint committees consisting of representatives of the employees and the management.

That a wide range of matters come up for consideration from day to day and week to week is indicated by the fact that 7,078 major cases have been decided in the past 15 years under the employee representation plans in effect at the plants of our Company. Of these, 1265 cases dealt with wages, and 1497 with working conditions. Then we find such other important matters as relief, pensions, sanitation, operating practices, accident prevention and employee transportation.

That these plans provide for the employees a practical method of bargaining and that the decisions are not dominated by the employer is seen in the record which shows that 4813 of the 7078 cases to which I have referred were decided as the employees recommended, and that an additional 817 cases were compromised. Thus, almost 80% of the cases brought up by the employees were decided in accordance with their recommendations or in a manner satisfactory to them.

The next point on which I wish to comment is the provision in our plans whereby the employee representatives are compensated at their regular rate of pay for the time

devoted to performing their duties under the plans. Some critics have stated that, if men are paid their wages while they are actually serving on a committee, their views will be necessarily biased. Such a statement is based on the misconception of the whole idea. We have always regarded our plans as an integral part of our organization.

I cannot see any sound reason for discriminating against the employees by requiring that their meetings be held at their expense. As I see it those who think that the representative should serve at his own or the employees' expense cannot have any particular friendship for labor. Indeed, some formal labor agreements which have governmental sanction definitely stipulate that the employees' representatives shall be permitted to attend to their duties at the employer's expense. Our experience over 15 years has been that elected representatives have performed their duties in a fearless, intelligent manner. Anyone who says that an employee is going to compromise his conscience just because his wages continue while he is attending to committee business has an unjustifiably low opinion of the American worker. I believe that employees generally will subscribe to this view and will resent any legislation that will cause them needless loss of wages.

The Chairman: What does the employer pay to the representatives of labor in your plant?

Mr. Larkin: The regular hourly rate for the time that they spend.

The Chairman: During working hours, while he is serving as representative of the employees, he is paid the wages that he would receive if he had been actually working in the plant of the company?

Mr. Larkin: That is right.

The Chairman: There was some evidence here

this morning of paying the representatives $25 a month in one company. That is not the practice in your company?

Mr. Larkin: No. We pay the regular average hourly rate for the time spent.

The Chairman: In other words, you feel that they are working for the company when they are engaged in settling disputes and in considering problems for the welfare of the employees and for the development of collective bargaining between the employer and employee?

Mr. Larkin: We feel that they should not suffer a loss by reason of the contribution which they are making to the employees and the company.

The National Labor Board has emphasized that it has settled labor disputes involving more than a million persons. That is highly commendable. It does not appear whether that number of employees were directly involved in such cases; but, however that may be, it must be remembered that there are over 23,000,000 workers that have not required such mediation.

The very fact of the existence of such a Board as the National Labor Board has tended to promote agitation on the part of professional strike fomenters. A disgruntled minority will always try to capitalize such a situation, and the public welfare is concerned, if such a Board allows itself to be misdirected into encouraging discord.

I think it unfortunate that so much attention has been paid and that so much emphasis has been put upon the relatively small number of cases where there has been dissatisfaction. These I think have obscured the real situation existing in industry. Indeed, it is perhaps surprising

that, with all the effort in some quarters towards capitalizing the emergency and creating unrest, more trouble has not developed. It is, of course, natural that where the points of disturbance have been somewhat important, unusual attention has been attracted to them. Nevertheless, when we think in terms of national policy, we must not lose sight of the fact that the normal average condition in industry is one of peaceful cooperation between employee and employer.

We feel that further legislation at this time is entirely unnecessary. Industrial relationships do not demand it; Section 7 (a) of the Recovery Act is a sufficient guarantee to workers and it should stand as it is, all interested relying upon existing powers of enforcement as sufficient.

STATEMENT OF MR. FRANK PURNELL, PRESIDENT, THE YOUNGSTOWN SHEET AND TUBE COMPANY

My name is Frank Purnell and I am president of The Youngstown Sheet and Tube Company, a large employer of labor. Throughout the depression years we employed as many of these men as we possibly could by means of staggering the work or dividing such work as was available among as many men as possible. At the present time we are employing about 16,000 men. We have plants in the Youngstown District and in the Chicago District. We make and sell iron and steel products.

It is very doubtful if I can add anything that has not already been said in reference to the Wagner bill which is now before us. I am very strongly of the opinion, how-

ever, that to take such drastic measures as proposed in the bill would so completely upset relations between employer and employee that it would be very harmful to the purposes of the National Recovery Act. It is impossible to change overnight basic principles in any line of endeavor or in any line of business. We believe that Section 7 of the National Recovery Act should be given a fair trial in protecting the rights of labor, and if its obligations are made reciprocal, it would be an outstanding step in defining the rights of labor.

The very fact that representation plans have received such favorable support, regardless of the contention of labor leaders that there was coercion on the part of the employer, leads us to believe that the great mass of peaceful workmen and the backbone of the American working men have accepted this experiment and are giving it full cooperation, and it will only be after a reasonable trial that anyone can say as to whether or not modifications are necessary. We, of course, always have felt that coercion by outsiders on the men to join special labor unions or organizations is just as offensive as if coercion was used by the employer to have the workingmen follow any particular plan of his own.

Therefore, with this general brief statement we express the hope and desire that we may be allowed to go along and try to develop through experience under the plans under which we are now working before any further legislation is inaugurated tending to destroy the satisfactory relationship existing between most employers and their men, and that nothing will be done to disturb present efforts under the Recovery Administration.

Our plan is 15 years old, and I just would like to recite how it started.

During the World War our employees, like the employees of most other steel companies, organized a "Patriotic Committee" for raising money for the Red Cross, Knights of Columbus, Y. M. C. A., and war chest purposes, and for the sale of Liberty Bonds. The Committee was made up of about 600 men from all departments and included foremen, skilled and unskilled employees. During the campaign for the sale of the Fourth Liberty Bonds the "Patriotic Committee" at the Camden plant alone obtained subscriptions to about $3,500,000 from approximately 13,000 employees or an average of $264.20 per subscriber.

The work of this Committee brought about very close relationships between employees and management and developed the idea of some plan of permanent employee representation for the purpose of maintaining these close relationships between employer and employees. The Committee voted unanimously in favor of the adoption of some plan of representation, and the matter was discussed between the management and employees with the suggestion that company officials, salaried employees and those having the power to employ and discharge should not be included in the representation plan. As a result of this discussion, the matter was given thorough consideration and on November 29, 1918, the form of plan or representation was agreed upon and was adopted by the employees of the company and the management. Under its provisions company officials, salaried employees and those vested with power to hire and discharge have no participation in the plan. It permits amendment from time to time but neither the employees nor the management found it necessary to request any important changes from the original plan.

The manner in which the plan has been accepted by

the employees is illustrated by the number of employees who participate in the election of representatives. In 1919 44.3% of the eligible working employees voted for representatives; in 1923, 56.2% voted; in 1933, 88.5% of the eligible working employees voted. The elections are conducted entirely by the employees through their own representatives and voting is by secret ballot; no interference, restraint or coercion from any source is tolerated. The management has no part in the elections at any time and it has not had any part in them for the 15 years' life of the plan.

This brief history of the purpose and results of the representation plan in effect among the employees of The Youngstown Sheet and Tube Company is given for the purpose of indicating the development of the representation plan at our plants. We believe the men are well satisfied with it. Our investigations lead us to believe that they do not wish to have it changed.

If the Wagner Bill, the subject of this hearing, should be enacted, it is doubtful if the plan could be continued because the company would have to become entirely dissociated from it and treat it as a stranger. And if the bill should be modified, as we understand has been suggested, it would still be doubtful in our opinion whether the plan could be continued.

The representation plan in all its phases is based upon conserving the mutual interests of both parties, employees and management, and any inflexible substitute which destroys this close relationship, this mutual confidence and trust, this ability of employers and employees to discuss and settle all their problems between themselves, would be ineffective.

The plan provides that the employees select their own

representatives in their own manner without any interference or restraint from any source. It is our belief the effect of the Wagner Bill would be to deny to labor the right so to organize wtih any help or encouragement from employers and its practical effect would be to force the closed shop and compel the joining of a labor organization. Reference is made to paragraph 6 of Section 5 of the bill.

We submit that under the representation plan in effect in our plants there never has been any suggestion of coercion on the part of the management in any election at any time during the 15 years' life of the plan. Our plan permits any employee, who believes he has a grievance, to go to his foreman, directly or through his representative, or to the superintendent. If he does not obtain satisfactory adjustment, the employee may take his case to the management's representative and thence to the operating officials of the company, to a joint committee on appeals, and then to the president of the company. If he still believes that full justice has not been rendered him, he may request and obtain arbitration, as set forth in the plan.

I would like to say there that that applies to the individual right of each man on the payroll. No collective group at all. Each man has the right to take his own case up through arbitration.

The plan provides for joint committees with representatives of the management, and the management's representatives can at no time coerce or curb the employees, and the employer's representatives have no authority to prevent any individual or group of individuals from carrying their case clear through the various steps until it comes to arbitration for final decision.

The association and close contact possible under this

Employees' Representation Plan between the men and the officers of the company have been very beneficial to the employees and to the management, and its destruction or any weakening of its importance and dignity of standing in our judgment would be a serious and grave mistake.

A number of our employees have signified their desire to appear before this Committee and testify and they will tell you in their own way whatever their experience has been and their opinions about the representation plan.

We most sincerely and earnestly protest against the Wagner bill and against any legislation which would prevent employees and employers from cooperating to develop and maintain a plan of employees' representation and a method of selecting representatives to handle their problems among themselves and with each other. We believe this legislation is unnecessary and prejudicial to the interests of employers and employees. We believe it is particularly harsh and unfair to employers, because it seeks to treat them as oppressors and makes it difficult, even dangerous, for employers to try to be humane, or friendly, or sincerely interested in the problems of their men, either as groups or as individuals.

U. S. COMMITTEE ON EDUCATION AND LABOR

Washington, D. C. Friday, April 6, 1934

STATEMENT OF MR. ELLWOOD SMITH, EMPLOYEE REPRESENTATIVE BETHLEHEM STEEL CO.

The Chairman: The Committee will come to order.

There are 5 representatives of the employees of the

Bethlehem Steel Company present. Will they come forward as their names are called? Ellwood Smith? Joseph Leary? Oliver Werst? Fred Rooney? Daniel Boyle?

The Chairman: Are you all here freely and voluntarily?

Mr. Smith: Yes, absolutely.

The Chairman: You may proceed with your testimony.

To the Honorable David I. Walsh, Chairman, Senate Committee on Education and Labor: We, the duly elected officers of the general body of employees' representatives under our plan of employees' representation: Ellwood H. Smith, Chairman, Joseph Leary, Vice Chairman, Oliver Werst, Secretary, and members of Rules Committee, Fred Rooney, Daniel Boyle, of the employees of the Bethlehem Steel Company, Bethlehem Plant, Bethlehem, Pennsylvania, authorized by attached resolution, submit this statement:

For your information, Mr. Chairman, I will read the resolution: "Honorable David I. Walsh, Chairman, Senate Committee on Education and Labor

"We, the undersigned Employees' Representatives under the Plan of Employees' Representation, of the Bethlehem Plan of the Bethlehem Steel Company located at Bethlehem, Pa., at a special meeting of the General Body held at Bethlehem, Pa., March 26, 1934, do depose, say and approve:

"Whereas the pending Wagner bill seeks to destroy our present Plan of Employees' Representation, which has been in operation in our Plant from January 28, 1920 to the present date, March 26, 1934, covering a period of 15 years and through which period our fellow workmen have

experienced whole-hearted co-operative dealings in the matter of conducting our election of representatives without any interference of said company.

"Subjects acted upon and considered were as follows: Wages, hours and working conditions, safety, transportation, pensions, relief and general welfare of employees.

"We approve of having a committee consisting of our Chairman and two or three representatives to enter a protest against the said Wagner Bill U. S. Senate Bill No. 2926 before the Senate Committee on Labor and Education.

"Whereas the pending Wagner Bill U. S. Senate No. 2926 seeks to destroy the present Plan of Employees' Representation.

"Be it resolved that, we the undersigned representatives of the workingmen of our individual departments to a total of about 6600 men do wish to go on record as opposed to the said Wagner Bill U. S. Senate No. 2926 and are wholly in favor of continuing our present Plan of Employees' Representation.

"Be it resolved further that as our Plan does not provide dues creating any funds, we do hereby request the Bethlehem Steel Company to compensate our representatives for expenses on said trip to Washington, D. C."

Senator, this resolution is signed by our entire body of employees' representatives, as well as the ones who are taking office after April 1st.

We favor our present plan of Employees' Representation having the following definite aims: To furnish facilities to adjust grievances and prevent injustice; to serve as a means for collective bargaining on wages, hours and working conditions; to provide for the exchange of infor-

mation and opinions between management and employees; to educate employees and executives to understand the viewpoint and problems of eac' other; to promote efficiency, economy, safety, and to strengthen morale.

Our Plan of Employees' Representation which has operated successfully from January, 1920, to the present date, a period covering almost 15 years, is proof that it has encouraged the early settlement of disputes in the shop or department in which they originate. Differences that cannot be adjusted in this way may be taken up with Standing Committees composed of employees' representatives only, or at joint committee of employees' representatives and representatives of the management, and if complainant is not satisfied with the decision, same can be appealed to the president of the company, and then may be submitted to arbitration, and any discrimination can be carried to the State Department of Labor, which happens to be the Department of Labor of the State of Pennsylvania, or the Secretary of Labor of the United States. Up to this time we have never had cause to appeal to the president of the company or the Labor Department.

Our opponents hold that since Employees' Representatives receive their regular wages while attending meetings, their freedom of action is thereby limited. This is not true, as we have been representatives for these many years and therefore know the absolute freedom with which any representative can discuss any questions and push them to an equitable adjustment, with absolute freedom, and the committees can pass resolutions as they see fit.

Our meetings deal largely with wages, hours, working conditions, safety measures, sanitation, efficiency of operating methods, and similar matters for which work the employer would have to pay others if it were not handled

by our representatives. Therefore, we think we are entitled to reimbursement for time lost at work in order to attend meetings or our representative duties.

Our Plan of Employees' Representation provides machinery for handling grievances and complaints. The employee who feels that he is being unfairly treated has only himself to blame if his case is not investigated fully and impartially. In thousands of cases, wrongs have been redressed and incipient injustices have been corrected since the start of our 15 years of active service under the Representative Plan.

The nominations and elections of employes' representatives of the Bethlehem Steel Company employees, Bethlehem, Pennsylvania, are conducted by the employees themselves in accordance with the rules and regulations prescribed by the employees' Committee on Rules.

The Rules Committee arranges the schedule of elections with the assistance of the officers of the General Body of Employees' Representatives, and also appoints the tellers to their respective polls. The tellers are selected from among the representatives. No representative is allowed to act as teller in the unit or department which he represents. There is no interference, coercion, or restraint permitted in the elections and every employee has absolute freedom of choice as to voting, both in nominations and elections. No company supervisor or management representative is allowed to in any way take part in, for or against any candidates. We do not countenance any interference whatsoever.

The Chairman: From your observation, has that regulation been strictly adhered to?

Mr. Smith: Absolutely.

The Chairman: Have you known of any efforts made,

directly or indirectly, by the employers to influence these elections?

Mr. Smith: We have had reports, but upon investigation we found them to be unfounded.

Among the various candidates, all the crafts are represented, as the 50 election units are divided in such manner as to insure a representative from all the different crafts for every 100 employees or major fraction thereof.

Our recent election, held during March, has shown conclusively that our fellow employees approve of the plan, inasmuch as our election returns show a 91.8% vote of total eligible voters.

Our objection to the pending Wagner Bill is that it would prevent and eliminate the company from participation in our plan; also prohibit the company from compensating or reimbursing our representatives for time spent in meetings or for other representative duties. We feel that it would be an injustice to prevent or eliminate the company from participation on such grounds. Inasmuch as our plan of employees' representation provides no dues or assessments to be paid by the employees, and we have no funds to cover for meetings time, election expenses, etc. It is only fair to have the company participate and help out in this way in our plan.

We sincerely prefer to have the company take part in this active, worthwhile endeavor to promote that welcome cooperation essential to a tranquil industrial life. We feel that the company should have a perfect right to convene with us at stated or requested dates in order to debate, discuss and adjust the problems facing us, as the same are most vital and essential to both employee and employer.

The injunction of a third or any outside party to dis-

place as congenial a program as we now enjoy would be a most disastrous blunder, as it would have a tendency to upset the structure we have labored consistently to perfect to its present status and demonstrated worth.

STATEMENT OF MR. WILLIAM G. MCDERMOTT, EMPLOYEE REPRESENTATIVE, BETHLEHEM SHIPBUILDING CORPORATION

The Chairman: There are 6 representatives of the Fore River plant, Bethlehem Shipbuilding Corporation, Quincy, Massachusetts. Will they step forward as their names are called? William G. McDermott? Charles MacKenzie? Ambrose Gorman? William Mullaney? Owen Cheverie? Edmond J. Saundeis? Are you all here?

Mr. McDermott: Yes, sir.

The Chairman: Mr. McDermott, you represent the full group, do you?

Mr. McDermott: Yes, sir.

The Chairman: You may proceed with your statement.

Mr. McDermott: I am William G. McDermott, and as chairman of the Employees' Representation Body, made up of 2,200 employees of the Bethlehem Shipbuilding Corporation, Quincy, Mass., have been authorized by them to appear before this Committee as their representative, to file protests on their behalf against the Wagner Bill, S-2926.

Our Body opposes the Wagner Bill for the following reasons:

1. The provisions of the Bill are in absolute opposition to the plan under which we have operated for the past

11 years, and, in our opinion, it is a violation of Section 7 (a) of the N. I. R. A., which states that employees have the right to organize and shall be free from interference, restraint or coercion of employers of labor or their agents in the designation of such representatives, or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

2. This Bill may force us into closed-shop conditions, which is considered against our best interests as guaranteed by Section 7 (a) of the N. I. R. A.

3. This Bill, by prohibiting management and employees from discussing mutual problems on equitable basis will tend to destroy the friendly relations and cooperative action that exists today under the present Employees' Representation Plan.

4. This Bill will prohibit the reimbursement of employees for time taken from their regular work in the interests of their fellow employees for the betterment of working conditions.

5. This Bill may inject into discussion between employees and management a third party who may or may not know local conditions, and would, therefore, create interference rather than aid in the settlement of matters ordinarily handled without difficulty in the plant itself.

Regarding our protests against this Bill, which tends to undermine our Employees' Representation Plan, which has been in effect at our plant for the past 11 years, we wish to emphasize that this plan in no way conflicts with the rights of employees to belong to labor unions.

During the 11 years of experience in this plan, due to the cooperation on the part of employees and management, no labor trouble has occurred and all disputes have been promptly settled or adjusted satisfactorily.

The Chairman: Have you had many disputes?

Mr. McDermott: I think we have had 2,500 cases which we disposed of satisfactorily since the inception of the plan.

Senator Davis: Mr. McDermott, do any of the workers in the Quincy plant belong to any other labor organization outside of this?

Mr. McDermott: I believe there are some, Senator, yes. I might say one thing, we have two members of the American Federation of Labor sitting on our committee.

The Chairman: Do they share the sentiments you are expressing?

Mr. McDermott: Yes.

Mr. McDermott: Previous to the adoption of this plan, by the employees in 1923, it was not uncommon to see walk-outs very frequently. It has been our great satisfaction to be able to settle all of our difficulties without calling in a third party to effect a settlement. We feel that the settlements that have been accomplished under this plan have been due to the fact that the disputes were taken care of in time and the representatives had actual contact and understood the conditions clearly, which, of course, could not have been true of any outside element who could not have had the same contacts.

Nominations and elections for representatives under our Employees' Representative Plan are held annually in the month of March, and at our last election, held on March 16, 1934, 96% of the 2,200 eligible voters in the yard endorsed this plan by secret ballot. We wish to state emphatically that the management in no way interferes, coerces or dominates these nominations or elections. A day is set aside, and the balloting is absolutely secret, carried on by a committee of rules which is comprised of employees only.

Through our Employees' Representation Plan we have been able to form our Fore River Plant "Community Chest Fund," through which funds are raised to assist in every way employees at the Fore River Plant. Since the formation of this fund in 1927, more than 1300 cases of assistance to needy employees have had relief.

In addition to the Fore River Plant Community Chest Fund, there have been organized Relief and Pension Plans for the further benefit of the employees.

In view of the very satisfactory relations which have existed between us and our employers through the Employees' Representation Plan, we urge that this bill be defeated so that it may not become law and do away with the mutual understanding and mechanism for the adjustment of all our problems.

The Chairman: I omitted to ask if you were here voluntarily?

Mr. McDermott: Yes, sir.

The Chairman: And the men with you?

Mr. McDermott: Yes, sir.

The Chairman: They are witnesses before this Committee voluntarily?

Mr. McDermott: Yes, Senator.

The Chairman: You think your fellow members are unanimous in the view that the system has worked satisfactorily?

Mr. McDermott: Yes, Senator, practically speaking.

The Chairman: You may withdraw.

STATEMENT OF MR. NEIL K. GORDON, EMPLOYEE REPRESENTATIVE, THE YOUNGSTOWN SHEET AND TUBE COMPANY

Chairman: There are eight representatives of the

Youngstown Sheet and Tube Company. I will call the names and ask them to step forward as their names are called: Neil Gordon? Thomas Cleary? Floyd H. Ransom? Horace Howell? William Donlin? John McGowan? Edward Fitz? Roy Welsh?

The Chairman: Who desires to speak for the group?

Mr. Cleary: I believe we each have a little statement, Mr. Chairman.

The Chairman: We will begin with Mr. Gordon.

Mr. Chairman and gentlemen, I have served as a representative for a period of approximately 10 years, and I believe that I am qualified to speak authoritatively on the subject of employees representation.

I want to assure you that I have no quarrel with, and I hold no brief against, any labor organization.

My sole purpose in appearing before this Committee is to voice my protest against any and all legislation which might tend to disrupt the fine spirit of cooperation which has existed between employee and employer since the adoption of the employees representation plan in our plant.

Our plan has been in operation for a period of 15 years, and during this period of time it is my belief that this plan has been of benefit to both employee and employer.

Section 7-A of the National Recovery Act guarantees to employees the right to select and choose their own form of representation for the purpose of collective bargaining.

Our Representative Plan does this and much more. Our plan is not confined solely to collective bargaining, but includes such other subjects as extended credit, garden projects, employees cooperative stores, athletics and housing conditions.

Nominations and elections have always been conducted

by the employees themselves without any interference of the management.

Meetings of the representatives are conducted in a manner permitting the frank discussion of any subject which may arise, and to my knowledge no subject ever raised at any committee meeting has ever been ruled out of order.

We do not contend that our plan is perfect, but we have the right to amend the plan as we deem necessary.

STATEMENT OF MR. THOMAS CLEARY, EMPLOYEE REPRESENTATIVE, THE YOUNGSTOWN SHEET AND TUBE COMPANY

Mr. Cleary: In regard to the company store, I might clear up a point on that. Our management would like to get rid of them but we want them.

Senator Davis: Did I understand you to say the management wanted to discontinue the stores?

Mr. Cleary: We have had several discussions there because the merchants would like to have them done away with, so we would patronize their stores in regard to those products. There is always the old-time mill store which was charging exorbitant prices, but our stores are from 16 to 20 percent under the chain store in the vicinity. I think there was just one and a fraction percent profit made last year and I think we lost it all in December.

During the depression we charged more for articles in the luxury class and then we sold staple goods like hams and sugar and potatoes for almost under what it would cost, and that was to help out the fellow who needed those things.

The Chairman: Up to the present time the employers

have surrendered their judgment to the employees and have permitted the stores to be carried on?

Mr. Cleary: Yes, sir.

The Chairman: Proceed.

My name is Thos. A. Cleary. I am employed by the Y. S. T. Co.

I was an employee of the Brier Hill Steel Company when it was taken over by the Y. S. T. Company about 1922. The Y. S. T. Company then had the Employees Rep. plan at the Campbell Works, but we in the Brier Hill Division did not have it. We employees at the Brier Hill Plant often talked about getting the Representation plan at Brier Hill and finally, about 1925, we sent a Committee of employees to the management requesting the Representation plan be adopted at Brier Hill. They agreed and the employees in each department appointed delegates to hold a nomination and election. This was the beginning of the Representation plan at Brier Hill.

We believe in the Representation plan because our experience has shown us that at least 90% of our grievances are minor ones although to the individual concern they are major ones and can be quickly straightened out satisfactorily without leaving the departments. On the questions that cannot so easily be straightened out and have to be carried on up, there is in our plan a statement that protects the employee's argument and that is, he must be satisfied, if he is not he has the right to carry it up for adjustment by means of arbitration.

Our experience has shown us that our Company leans over backwards to keep out of mixing in on our nomination and election. When we were first starting in 1925 and tried to get some help from the Company they told us it was strictly up to us.

Our Company in 1930 started a Relief plan in which they expended close to three-quarters of a million dollars in relief work. Our Representatives worked jointly with the management in handling this relief proposition and we could easily get thousands of testimonials from our employees testifying to the fact that they would not have known what to have done if it were not for this help that they were given.

We don't believe our Representation plan is yet perfect, but we have not yet seen a plan that is perfect. Inasmuch as the plan provides for amendments we will be able to make the plan a much better plan and we are all constantly working toward that end and we are absolutely against any law or part of a law that will deny us the right of choosing a Representation plan to do our collective bargaining if we desire it.

STATEMENT OF MR. FLOYD H. RANSOM, EMPLOYEE REPRESENTATIVE, THE YOUNGSTOWN SHEET AND TUBE COMPANY

The representation plan has been in operation in our plant for 9 months.

The purpose of the representation plan, in my personal observation is, that it provides an effective means of communication and contact between employees and management on matters pertaining to industrial relations; that it insures justice, maintains tranquility and promotes the general welfare. This is the foundation upon which our plan is founded.

The fact that labor and capital cannot exist independently of each other is a known quantity, therefore we must accept this as a fact and both work for mutual results.

The possibilities of the representation plan are unlimited in promoting better working conditions and, in turn, this promotes efficiency of operation. The cycle is completed in the form of better returns for both employee and employer. But any plan is a failure when there is not cooperation on the part of both parties.

My personal contact with the management of this Company as an employee representative convinces me that they recognize a man as a man, regardless of his position or the clothes he wears, and that they are willing to give consideration to his viewpoint on matters affecting his welfare. Their decisions are always just, to the best of their ability, with due regard to their responsibilities. I am certain there is sincerity on the part of the management and that perpetual friendliness is accorded at all times. We are all employees after all, and amicable agreements can be attained by cross-the-table conferences which gives insight to the problems of each other.

STATEMENT OF MR. ARNOLD SKINNER, EMPLOYEE REPRESENTATIVE, AMERICAN ROLLING MILL COMPANY

The Chairman: There are here now 9 representatives of the American Rolling Mill Company, and will they come forward as I call their names? Robert F. Colley? Michael Enright? Fay T. Walls? Arnold Skinner? John Watson? Melville Sarchet? Chalmers Essig? John Hogan? Paul Berry?

The Chairman: You may all be seated except the first witness.

Mr. Skinner: I appreciate this opportunity to appear before you to tell you what my fellow workmen think about Senate Bill 2926.

The men in our department have worked for the American Rolling Mill Company from five to 33 years, and during most of this time we have belonged to a union, the Amalgamated Association of Iron, Steel and Tin Workers, so we know what a labor union is.

We are opposed to this bill because of the following reasons: Section 7 A of the National Industrial Recovery Act says we do not have to join any labor organization unless we want to, but the Wagner Bill would make us join. We should not have to join any organization unless we want to.

We do not believe our taxes should be used to support another expensive board in Washington.

Under the bill the Labor Board could appoint friends without an examination of any kind. The Board could pay these people anything they want to pay them.

If the Wagner bill becomes a law it would set up a wall between men and management. Spite fences promote fights.

For many years we have dealt with our management on many problems and always got a fair deal. The Wagner bill seems to say that the workmen and the management do not know how to deal together.

The bill would do away with our plan of Employee Representation which we are entirely satisfied with.

We would hate to work in a place where we couldn't meet on equal terms with the management to talk over our problems.

The management of our company were workers in our ranks a few years ago. They know our problems. The men and management all work for our company and are paid from the same pocketbook. When we speak of the company

it means the men in the plant just as much as the management. Team work is what counts.

The Wagner bill would force us to deal with outsiders who would not know anything about our conditions. These outsiders would tell us what we could or could not do. We can settle our affairs better by our plan of employee representation. Outsiders would not be as interested in our problems as we are for they do not get their bread and butter by working as we do.

We are coming out of the depression and we can't see why we should stop progress by unwise laws. What we want is steady work and not strikes.

We believe a man should hold his job on his merit and not because he belongs to a labor organization.

The Wagner bill would take away our right to select our own men to represent the workers. In our opinion the workers should continue to elect their own representatives by secret nomination and secret ballot.

If the bill becomes a law we would lose many benefits such as our group insurance, mutual aid, sick and death benefits, free hospital service, free gardens, and other services. These benefits would come under Section 7, paragraph 1, as "influence."

While we were members of the union, for many years, in fact since 1904, we elected an advisory board much the same as our present Employee Representatives Committee. We solved many problems with the management without taking them to the national lodge.

STATEMENT OF MR. PAUL D. BERRY, AMERICAN ROLLING MILL COMPANY

Mr. Chairman and Gentlemen:

My name is Paul D. Berry. I have been an employee

of the American Rolling Mill Company for sixteen years. I am privileged to speak to you as Chairman and authorized spokesman for the Employee Representatives comprising both hourly and salaried employees of the General offices of the Company at Middletown, Ohio. While I am now a salaried employee I have also had some experience as a member of a Trade Union as I was a pattern maker by trade, carried a union card and was also Secretary of our Local.

Our group, feeling the Wagner bill was of vital interest to all of us, discussed it thoroughly at a recent committee meeting and felt they should go on record as opposing its passage owing to the effect it would have on us both as individuals and a group.

The first and second paragraphs of Section 2 of this proposed bill makes a statement that we most emphatically take exception to. Because isolated cases here and there which unfortunately are the only ones that have come to the attention of the Labor Board have not been fair to the employees do not place all of us in the same category. We haven't been coerced by the management. They haven't even attempted to influence us. I can truthfully say that in every matter we have taken up with the Company we have received their cooperation and they have never refused to entertain any reasonable request or suggestion. I don't want to leave you under the impression that everything we ask for is granted. We try to be reasonable but when we feel we are right we go to the mat with the management and I assure you we don't come out on the short end often.

This Board in its investigations probably has come in contact with some conditions which should be corrected. If any one is not living up to the National Recovery Act handle them individually. Don't impose a condition on the

majority of us which would eliminate the basis for friendly contact we have had for years. Collective bargaining and friendly contact such as ours can't be legislated into existence. You must have mutual understanding, confidence and respect. You can't have either unless we can discuss our mutual problems in a friendly manner. Certainly you will not realize this if you inject a third party into the picture who doesn't have our individual interests at heart as we employees do.

Collective bargaining isn't new to us. We didn't need N. R. A. to obtain it. We have had it for years in our Advisory Committees upon which I have served several times. The present plan varies but little. It has only been dressed up somewhat to suit the occasion and the employees have had their hand in the dressing. May we suggest gentlemen, if you feel legislation is necessary that before you take this step you make a survey of the Employee Representative Plans which have been functioning successfully and then develop your legislation from the result of this side of the question.

The Wagner bill implies we are interfered with, influenced, restrained and coerced. Perhaps I can answer that by briefly telling you how our plan works. First, all elections are by secret ballot both for nomination and election. Second, they are conducted by employees only and the first knowledge the management has of who is nominated and elected is when we tell them. Third, no one in a supervisory capacity is permitted to serve as representative or even allowed to vote. Fourth, no member or representative of the management is permitted to attend our meetings except by invitation. Fifth, no employee representative can be discriminated against for any action he has taken as representative. We have never had a case of such discrimination but if there was we could take the matter up through each superior officer to our President, if

necessary, and then if not satisfied to an arbitrator selected by mutual agreement.

STATEMENT OF MR. ROBERT F. COLLEY, EMPLOYEE REPRESENTATIVE, AMERICAN ROLLING MILL COMPANY

Two other officers of the Executive Committee and I have been sent here by the Employee Representatives of our works to present to you their views on the Wagner bill. The resolutions unanimously passed by our representatives last Wednesday, March 28th, contain the following points:

1. We feel that this bill would force us to join a national union and thus compel us to pay dues.

2. We feel that this bill would destroy the friendly relationship that exists between our management and ourselves.

3. We would lose many valuable benefits which we have long enjoyed such as company contributions to group life insurance, employees benefit association, etc.

4. This bill seems to anticipate that trouble may arise between the working organization and the management which cannot be satisfactorily adjusted. Our experience does not bear this out.

5. We fear any legislation which will tend to destroy the harmony we now enjoy with our company.

6. We also insist upon the right to choose for ourselves the form of employee representation we are to have and strenuously object to any possibility of the closed shop.

7. We will not be satisfied with any amendment of the Wagner bill. Regardless of whatever changes might

be made it would still be regarded as a Union Labor victory and advertised as such by union organizers.

Our meetings are conducted secretly and the only time we have a visit from any member of the management or from any one in a supervisory position is when we invite them in for consultation or advice.

STATEMENT OF GUY E. MITCHELL, EMPLOYEE REPRESENTATIVE, WHEELING STEEL CORPORATION

The Chairman: There are three representatives of the Wheeling Steel Corporation here. Will you three Gentlemen come forward as I call your names? Frank Chase? Guy E. Mitchell? Lee Robinson? You three Gentlemen represent the Wheeling Steel Company?

Mr. Mitchell: I have heard that these plans have been referred to as "company dominated" by a number of the witnesses who have appeared here. From personal experience I can state that the plan in force at the Wheeling Steel Corporation is not dominated by the company at all. No foreman or officer of the company is permitted to have anything to do with the election. We run it ourselves and there has never been any complaint on the part of anyone of any unfairness or coercion in our elections, as far as I know.

This plan is very beneficial both to employees and employers as any differences can be settled by being in close contact with conditions as they exist.

In our distressed years of 1931 and 1932, our board of representatives, with the balance of the employees who had work at that time, contributed a share of their earnings to help the employees who were not getting any work at

all. In so doing, we helped as high as 250 families per month, supplying food, clothing, fuel and rent. In all, the amount contributed and needed for this purpose was close to $28,000.00 for eight months.

In bringing this before you, I am doing it to show that the representation plan is better for employees to deal with their employer free from outsiders that do not know the conditions as they are.

STATEMENT OF MR. ROBERT LEE ROBINSON, EMPLOYEE REPRESENTATIVE, WHEELING STEEL CORPORATION

My name is Robert Lee Robinson. I am an employee of the Wheeling Steel Corporation and work at the Benwood plant. I live in Benwood and have been in the employ of the Wheeling Steel Corporation for twenty-three or twenty-four years.

For thirteen years I have observed the workings of the Employee Representative Plan and I have been elected as a representative from the bell weld furnaces year after year during all this time. I have served as chairman and secretary of the employees' representatives and I appear here to protest against the Wagner bill because I think it is designed to make it impossible for the employees' representation plans to continue.

During my thirteen years as an employee representative, I have taken part in negotiations with the management concerning wages, working conditions, pensions and other matter brought to me by various men in my department and there is no single case in which there has not been a satisfactory settlement worked out. I do not see how anyone not connected with the company could really

understand the many problems that arise. I know for certain that the officers of the Amalgamated Association who run its affairs would never take the interest in our men that the employees' representatives take. The Amalgamated Association was in the Benwood plant many years ago and was completely repudiated by the employees after the strike in 1919. I talk to our employees daily and I know that the vast majority of them were so thoroughly disgusted with National Unions in 1919 that they are very bitter against them now. We believe in the plan that we have and we want it to continue and we are opposed to this bill because it is designed to help the National Unions.

I understand that this bill would make it wrong for the management to even tell us what their views were on any labor question. This seems to me to be all wrong. After 13 years of building up friendly relations between us and the management, we would then start to go the other way and build up unfriendly relations. There are about 1700 men in our plant and there is no dissatisfaction that I know of. The representatives have their regular meetings every month. They are always well attended and we think we have accomplished a lot for our men. No one can say that our organization is dominated or controlled by the Company. Another point that our men object to is the cost of belonging to the Union. In 1919 when the Union had a strike at our mill, there were supposed to be strike benefits paid. Nobody got anything. The only thing was that if you could manage to get to Wheeling some way and were married, you could get a basket of provisions. After all the years of paying money into the Union, we got no benefits out of it and the men were thoroughly disgusted with it. $1.50 a month may not seem like very much money to you but to a man working in the mill it seems like a lot, and when the Union is in a plant, the men practically have to pay this money, whether they want to or

not. If you take into account the hundreds of thousands of men who pay in $1.50 to $1.75 a month, besides the initiation fees, which are charged, there are tremendous sums of money that go to somebody and this is a cause of dissatisfaction on the part of the workers. We don't have anything like that in our Employee Organization.

STATEMENT OF MR. JOSEPH E. McARDLE, EMPLOYEE REPRESENTATIVE, REPUBLIC STEEL CORPORATION

The Chairman: James Moore? Mart Murphy? Eugene R. Roderick? Joseph E. McArdle? E. J. Milligan? Will you gentlemen step forward, please? You are the representatives of the Republic Steel Corporation? Mr. McArdle proceed.

My name is Joseph E. McArdle. I am thirty-five years of age and live in Massillon, Ohio. My present occupation is schedule clerk on the finishing mills. I have been with the corporation about fourteen years. My position in the employees' representation plan is chairman of the general body.

I have had knowledge of the Employees representation plan in Massillon from its beginning, acting on the election Committee and can positively say there was no undue influence exercised by the corporation at the election.

I feel that the great majority of the men are satisfied with the Employees' Representation Plan.

The plan works in giving closer contact from the employees to the foremen, superintendent and management. The employee also has at his disposal the services of the representative in his department.

In nine months the Employees' Representation Plan has handled 71 cases—48 or 68 per cent of which were settled in favor of the employees—7, or 10 per cent were refused. Six cases, or 8 per cent, were withdrawn by the employees and as of February 28, 1934, there were 10 cases pending.

To my knowledge, and I believe I have a fairly good knowledge of the plant, there has never been any influence on the employees to refrain from joining the American Federation of Labor or to accept the Employees Representation Plan.

STATEMENT OF MR. E. J. MULLIGAN, REPUBLIC STEEL CORPORATION

I am appearing before this Committee voluntarily and as an individual to give my conception of the Representation Plan.

Subjects brought up under the plan are taken up directly by the employee or with his departmental representative and departmental superintendent. If the grievance is not settled to the satisfaction of the employee, then the subject is carried through the regular committees of the Representation Plan as are necessary. If no satisfactory action is obtained through the various committees, the subject is presented to the President of the Corporation for arbitration.

Under the Employees' Representation Plan it has been my experience that the men are never hesitant about bringing before the management such matters as concern their general welfare and the plan has developed a much closer relationship between the management and the employees than has ever existed at this plant before. It has

also given the employees a much better understanding of the management's side as regards plant operation.

From my personal contact with the employees of Republic Steel Corporation I have in most instances found the men who are working under it to be well satisfied with the operations and accomplishments of the plan. There have been 105 items handled through the various committees of the plan, 61 per cent of which were settled to the satisfaction of the employees. In addition to this number, there have been approximately 500 to 600 items handled by direct contact with the departmental superintendents and I believe there has been approximately 70 per cent of such items settled in the employees' favor.

STATEMENT OF MR. EUGENE R. RODERICK, EMPLOYEE REPRESENTATIVE, REPUBLIC STEEL CORPORATION

My name is Eugene R. Roderick, of Canton, Ohio. I am thirty-six years old and have worked in various departments of the same plant for the past nineteen years.

I am employed as a roller on an eight inch mill in the Canton Works of the Republic Steel Corporation and am also Chairman of the General Body of Employees Representatives of the Canton plants, where we have a plan of representation which we think has proved very successful, as the records of 91 cases handled between July 15, 1933, and February 28, 1934 will show:

Number settled in favor of employees	60-66%
Number refused	20-22%
Number withdrawn by employee	5- 6%
Number pending settlement	6- 6%

These figures do not include cases recorded as items

which were granted immediately by the foremen without the necessity of writing them up and handling in the usual way, which provides that they be presented to the foreman, superintendent, general superintendent, and the management, at which time, failing to come to a satisfactory agreeemnt the cases are referred to Joint Committee of Employees Representatives and Management's Representatives of equal numbers—their decisions being final. In case of a deadlock in the Committees, provisions are made to refer the cases to the President of the Corporation, if necessary, who will, together with the Employees Representatives, agree on arbitrators.

As the employees are represented by men from their own departments, our plan provides for day by day adjustments of claims or complaints by representatives who are familiar with conditions concerned and can get more speedy action.

I was a member of the original temporary committee on elections which was made up entirely of employees, who conducted the nomination and election of representatives.

These elections were carried on absolutely free of any influence or coercion on the part of the company and only what help we requested was given by them.

Considerable interest was shown at the election and between 85% and 90% of the men working on Election Day voted for representatives.

The continued success and fairness of this plan has made for a much closer relationship between the management and the employees than ever existed before, and it is my opinion that by far the largest majority of the men in the Canton Plants prefer this plan to any other form of organization, although we have been free to join any union

we preferred without interference or influence by the company.

We are glad to say that this plan of representation has been accepted, not for the duration of the N. I. R. A., but for always, we hope.

Also, I would like to have you know we feel that the passage of the Wagner bill could certainly do nothing for us but declare an everlasting war between the company and we workers.

STATEMENT OF MR. JAMES MOORE, EMPLOYEE REPRESENTATIVE, REPUBLIC STEEL CORPORATION

I have been a bricklayer for the same company for eleven years and when we adopted a representation plan my name was one of the three receiving most votes in the primary election. On the following day in the regular election, the department, which I represent, elected me by a large majority. I have read in the papers of many complaints that men of other shops were influenced how to vote by their employer, however, this I wish to deny so far as our shop is concerned.

Our employees appreciate the benefits which this organization has already brought to them and believe it would be stepping backward to make a change at this time.

We have access at all times to the management's office, and from that source have been able to get management and employee closer together. Management has not influenced or compelled our employees to refrain from joining any organization, leaving that to the individual's own choice.

Personally, if I may so speak, I have obtained more good for myself and the people whom I represent in the short time the shop representation has been in effect, than from any labor union and understand, I was a member of the Bricklayers Union for many years. I am opposed to any legislation which will injure this representation plan.

STATEMENT OF MR. MARTIN MURPHY, EMPLOYEE REPRESENTATIVE, REPUBLIC STEEL CORPORATION

My name is Martin Murphy. I have been continuously in the employ of the Republic Steel Corporation in the capacity of blooming mill engineer for more than twenty-seven years. These mills were originally known as the Brown & Bonnel Plant, and all were operated under the Amalgamated Iron and Steel Workers Agreement . . . So, I can speak with full knowledge of what I am saying when I say that the employees' representation plan of the Republic brings more good to more people than did that of the Amalgamated. This employees' representation plan is new, has been in operation only eight months or so, but in that limited time, I have seen much good accomplished under it, and I honestly believe that it should be given a fair chance. I know that the men in the steel game do not need the assistance of outside experts, so-called. I might say that in the strike of 1919, the expert sent in to organize the Youngstown district was, if I remember right, a cigar maker.

Men in the mills are concerned not so much with who represents them as they are with what is in their pay envelope at the end of a pay period. They are capable and competent of doing their own collective bargaining and I feel that this can be accomplished more efficiently by one of

their own number, who is familiar with the working conditions, than anything we can hope for from a cigar maker.

To the charge that undue influence was exercised by the company in the election of employees' representatives, I can answer with this statement. I was named temporal chairman and as such I had the authority to name the eighteen men who had charge of the election in the Youngstown district, and I can truthfully say to this committee that I knew but three of these men personally, of the eighteen I named, and one of these three was an old Amalgamated man and still carries the Amalgamated card he paid $3.25 for in 1919. As to the percentage of the men who are opposed to the plan, I can not speak with any degree of certainty, for I have made no check in this matter, but I do know that a great majority of the men in the Youngstown district have made use of the plan.

The plan has been highly successful in bringing about a closer relationship between men and management, and I will say for the management that no discrimination has been made by them against men who have affiliated with outside organizations.

I would like to read to the Committee, if it will not take too much time,—I will make it as short as possible—the number of cases since this plan has been in effect: 285 cases have been presented by myself to the management covering a wide variety of subjects. 241 have been settled in favor of the men; 29 were decided against the men; one case was withdrawn; 6 compromised; and 8 cases were pending on March 1, 1934.

STATEMENT OF MR. WILLIAM CONN, EMPLOYEE REPRESENTATIVE, WEIRTON STEEL COMPANY

The Chairman: Will the representatives of the Weir-

ton Steel Company come forward as I call their names? J. Madden? C. W. Conn? Carl Means? George Ferguson? R. Congleton? C. Stillwell?

Starting in the mills in 1921, I have since worked in a half dozen steel mills over the country. I'm a first helper in the open hearth department, operating or as we say "running a furnace' which makes an average of 10,000 tons of steel ingots a month.

Last June, after the passage of the National Recovery Act, we banded together, organizing mill committees and held an election to elect representatives from each department. Since that time we have handled hundreds of cases dealing with most everything that affects men's lives in the mill or out of the mill. Such a broad field of accomplishments is absolutely impossible under the national union plan. They confine themselves entirely to wages, working conditions, and hours of employment. One gathers the impression that the worry of the organizers and officials of the Amalgamated is entirely one of the closed shop. Every strike or struggle you read about in the papers, they harp on the closed shop and forget the individual needs of the men.

We believe that the Wagner bill as proposed is opposed to the spirit and intent of section 7a of the National Recovery Act, enacted by Congress last June. We are very grateful to our President, Mr. Roosevelt, and to our Congress for having passed this law which gives us the right to organize for the purpose of collective bargaining. We do not believe it was the President's intention nor the intention of the Congress to force us to join any organization against our will. If this Wagner bill is passed it nullifies this freedom of action granted us under section 7a of the National Recovery Act. It would force us to affiliate ourselves with the American Federation of Labor, in whose

tactics we do not believe. The purpose of a union should be to better wages, hours, and working conditions under which men labor. These things have all been accomplished by our local representative plan and I am going to recite to you a few of our accomplishments.

Starting last June up to January 1st our work was conducted along lines something like this: We would either go to the foreman or superintendent with grievances in person or write a letter regarding the complaint. These cases handled during the last six months of 1933 are recorded in the minutes of the various divisional committees. In looking over these minutes it is found that there were 152 committee meetings held and a total of 505 cases were handled. Of these 505 cases, 296 dealt with wages, 58.6 per cent; 27 dealt with safety, 5.3 per cent; 182 dealt with working conditions, which included sanitation, medical service, housing, recreation, and public relations, 36 per cent. Of these 505 cases, 298 were settled in favor of the employees, 59 per cent; 32 were compromised, 6.3 per cent, 32 were withdrawn by employees, 6.3 per cent; 96 were pending as of December 31, 1933, nineteen per cent. Most of these pending cases related to the West Virginia attachment law.

After six months of operating under our plan of employees' representation, we developed a system of records and follow-up on each case as it is brought up by representative. This system was put into operation the first of this year and the records show that from January 1st to March 20th, 258 cases have been handled. Of these, 127, or less than half, dealt with wages, piece work or tonnage rates; 36 dealt with employment and working conditions; 23 with safety; 18 with economy and waste prevention; 25 with health and sanitation; 7 with relief and workmen's compensation; 2 with housing and living conditions; 7 with education and publication; 6 with athletics and recreation; 7 with public relations.

In our plan, if the departmental committee fails to arrive at a settlement of any question, it can be referred to the general committee on appeals, which sits as a final court and whose decision is sent direct to the president of the company.

When Mr. D. M. Weir died, a fund of $25,000 was left by him for an erection of a suitable memorial to his mother in the city of Weirton. This fund has lain in trust and probably would have continued to do so had the representatives not got behind the thing and working with the Kiwanis Club convinced the trustees of this fund that the money should be spent now and as a result a park and swimming pool are now under construction.

The company is furnishing the equipment and a new field is now being graded and will be in shape for use by the baseball team this spring. Had no one pushed this action, it is quite possible that the new mill would have been erected this summer and the football team next fall would have been without a field to use.

We believe that even if the American Federation of Labor should send fairminded investigators to Weirton, they would have to say that we are doing a job and doing it well.

On behalf of the representatives' committee of Weirton, I extend an invitation to you men to come any time and see for yourselves, sit in on our committee meetings, and judge for yourselves.

Many of our fellow workmen have worked under the same type of plan in various plants such as Bethlehem Steel Company, Colorado Fuel and Iron, and Youngstown Sheet and Tube Company. In all of these organizations the plan has been in existence for many years and doing a good job.

We have come before you to protest against the enactment of a vicious piece of legislation.

We would like to call your attention at this time to the fact that under the national labor union plan the individual is completely lost sight of, whereas under our representative plan both the mass of employees and the individual can have cases passed upon and argued before the management either as an individual or collectively.

We believe that this is a very important point.

Giving us the right to choose our own method of bargaining is as fundamental as the right to choose our own method of worship and we believe it is your duty to guarantee us that freedom just as much as it your duty to uphold the Constitution regarding freedom of worship or freedom of political creed.

The only difference in our organization, as we see it, is the fact that we strive for our ends by peaceful settlement and cooperation, whereas the American Federation of Labor strives to accomplish their ends by the everlasting threat of strikes. We believe that a strike is the same in the industrial world as warfare between nations is in the political and economic world, and is as unnecessary.

One of our leading newspapers is at the present time conducting a campaign against war by showing pictorial illustration of scenes from the late war in their daily papers. Such a campaign could be waged in all the newspapers of the land by collecting together the pictures dealing with the strikes that have taken place in the industrial world in the past thirty or forty years.

We believe this warfare creates nothing but discord and hatred in the community where the strikes occur, completely demoralizing the people in the business life of the community. If the Government through such a program

as the N. R. A. effects the raising of wages, shortening of hours, and better working conditions, then there is absolutely no necessity for a national labor union to collect dues from the working people of America when these same people are paying for this service by paying taxes to the Government.

Cooperation and peace is the need of the industrial world today just as peace and cooperation is needed by the nations of the earth.

We are reading today that even war between nations is brought about by racketeers who squeeze their profits out of the blood of their innocent victims.

We are convinced that this is the plan our men want and the one that will do the most good for the greatest number. If the money was taken out of the organizing game, Weirton would soon return to its former status of a busy industrial community where peace and harmony reign.

If such legislation is enacted as is proposed under the Wagner bill, it will mean endless warfare between employees and their employers, to which there will be no end. You can't legislate industrial relations reform any more than you can legislate temperance by the enactment of a National Prohibition Act—you simply create another form of racketeering.

Many writers have taken this position: "The workers don't know what they want."

We in Weirton know exactly what we want. We want to be free to carry on under our present plan which provides for arbitration by a board of three to be chosen by the representatives picking a man, the company choosing a man, and those two agreeing on the third party.

Such arbitration only becomes necessary when the management declines to accept the decision of our general committee on appeals. We have confidence in our ability to deal with our company and we want to be free to do so without the interference of the outside agitators.

We believe that a National Labor Court with compliance boards in the various steel districts on which the representative plan workmen of America are given representation would be a very good thing, but we believe that to set up such a court as the present Labor Board, dominated by the American Federation of Labor and politicians, doesn't inspire confidence on the part of those who knew what treatment was accorded our men when they appeared before this Board last December.

No National Labor Court can keep peace and harmony in the ranks of labor if such a court is to have arbitrary powers as provided in the Wagner bill. Such a court must be non-partisan; otherwise it would sit as "judge and jury," which is about the position of the present National Labor Board and, as I see it, this is the bottom of its present troubles.

I thank you.

STATEMENT OF MR. JACOB F. MADDEN, EMPLOYEE REPRESENTATIVE, WEIRTON STEEL COMPANY

Mr. Chairman and Gentlemen: I have been an employee of the Weirton Steel Company for the past twenty-eight years and have found that the Weirton Steel Company has been fair with all their employees. As a former member of the Amalgamated Association of Iron, Steel and Tin Plate Workers Union, and now active as a representative of my fellow workers under a Plan of Employees'

Representation, I think I am in a position to judge between the two methods of taking care of grievances between employees and management. In my position as an elected representative, I am working every day side by side with the men who elected me to settle their complaints.

Every day men come to me about one thing or another and I can't sidestep my responsibilities to my fellow workers. Gentlemen, if I don't do my job satisfactorily the men can recall me and elect another representative in my place—this can be done any time and the company has no vote in the matter.

As the result of this system, I and every other representative must "deliver or get out." I wish to bring to your attention a few facts that only the laboring man knows in regard to organized labor. I am told that there are about 3,000,000 or 4,000,000 workmen at present enrolled under organized labor—what is the matter that the other 30,000,000 workmen object to joining the American Federation of Labor? There must be something wrong when 30,000,000 men are opposed to organized labor. Probably you gentlemen never had the opportunity to hear from the laboring man the exact truth about this question.

Organized labor to my opinion is one of the best things for the laboring man that ever existed, provided that there can be some way to take the racketeering out of it. But the way it stands today it is worthless. I can give you the whole history of the Amalgamated Association from 1901 up to the present date.

The Amalgamated Association has always been built up around Hot mill men and has done nothing for the many other tinplate and steel workers. The Amalgamated has always taken a stand on wages for Tin Mill men, but at Weirton our rates have always been higher than the

prevailing Amalgamated rates and since April 1st, are approximately 16% higher than the Amalgamated rates. Mr. J. C. Williams, President of the Weirton Steel Company, has said many times that he would donate $25,000 to any named charity in Weirton, if it could be shown that the Weirton Steel Company was not paying a higher rate than the prevailing Amalgamated rate. This statement by Mr. Williams has stood unchallenged. The Amalgamated has never been interested in the general welfare of the workers and can never be in the position to get the many things before the management which are just as important to the working man as his wages. If working conditions are not right and men get sick or injured unnecessarily, wages won't do them much good. My job as a representative requires me to get into all of these conditions which will make the working men's life a little "sweeter." With shorter hours of work, proper recreation becomes more and more important and our committee of representatives must get into all these things.

The Amalgamated Association, gentlemen, is a racket.

The American Federation of Labor is another racket. In fact, they are all racketeers, playing on the poor laboring man as a sucker for their living. They go further—they play the Congress and the Senate that they may further feather their nest for their own earthly lust.

As I stated, there are about two million men enrolled under organized labor. At one dollar per head per month, or $2,000,000 per month, it would amount to $24,000,000 a year.

Gentlemen, your Government does not take in $24,000,000 a year profit. What does organized labor do with this money? Can they show where they ever contributed $1.00 for relief purposes during this last depression? No,

they have never given one cent to any charitable institution for relief work that I ever heard of.

Organized labor claims that they uphold wages. Gentlemen, that is an untruth as I will give you figures and facts that will prove to you that their statement is untrue. On July 1, 1924, Mr. M. J. Thighe, President of the A. A. O. I. S. T. W. signed a wage agreement with the Western Sheet and Tin Plate Manufacturing Association basing the tin workers scale on the selling price of 26-27-28 gauge to a basic price of $1.80 per 100 pounds. Tin plate today is selling around $5.00 a box of 100 pounds. Through this agreement instead of me receiving a wage rate based on the selling price of tin plate, my wages are based on the selling price of sheet iron, and there is no comparison between the two sheets or the two jobs.

Gentlemen, this is enough to prove to any man that he is better off away from any plan of organized labor. When Mr. Thighe made that agreement, did he go to the thousands of tin workers that were paying dues and explain the whole thing to them? No, Mr. Thighe did not care what the tin worker got for his labor as long as he and his colleagues get their share of the wages.

When Mr. William Long, President of the local lodge in Weirton, West Virginia, approached me about taking out a card, I put this same question up to Mr. Long and asked him to bring this to the attenton of Mr. Thighe. This is the answer I received from Mr. Long: "Jake, I asked Mr. Thighe about that scale. Mr. Thighe told me that the Amalgamated Association was on their last leg and had he not accepted that scale the Amalgamated Association would have been put out of business."

Then to think that the federal government would pass

law to force any employee of any steel industry to pay ues to an organization of that kind.

Coercion is coming from labor organizers who draw heir soft pay from the pockets of the working men. I or one don't believe the President wants to see any laws assed which will take hard-earned dollars out of the ockets of the working man unless there is a sure return or each one of these dollars. The working man doesn't ant to be forced into any union, not of his own choosing, nd that's what I have against the Wagner bill.

There are thousands of men in this country opposed o the representation plan or company union as they call . But why are they opposed to that plan? Well, allow me o answer that question for you. They are opposed to it ecause there is no money involved in the plan worth men- ioning. There are no easy jobs for the soft collar man. We o not need any offices, taxi bills, train fares, no clerks or tenographers, and there is no dues attached or assess- ients. There is no chance of any graft. The representatives n the Weirton Steel Company plants are all hard working ien. We recognize our fellow workmen and we see that hey get the right to bargain. Gentlemen, I have repeatedly nade the statement that I am no Company man, never was nd never will be. My only ambition in life is to have peace nd good will among men. I am bitterly opposed to any ind of racketeering, threats or violence.

The employees of the Weirton Steel Company stand ack of you, gentlemen, and also back of the greatest man n earth, our President, Franklin D. Roosevelt, and the NRA.

I thank you.

STATEMENT OF MR. JOHN GRIMM, EMPLOYEE REPRESENTATIVE, INTERLAKE IRON CORPORATION

The Chairman: Interlake Iron Corporation of Toledo, Ohio, represented by John Grimm. Together with John Grimm appear Harry Doyle, Irving Moore, Harry Holstead and Herman Luken. You are all representatives of the employees in the Interlake Iron Corporation of Toledo, Ohio.

Mr. Grimm: We are.

The Chairman: Will you proceed, Mr. Grimm.

When the National Recovery Act was being talked over, and when it first appeared in the papers, the management called a mass meeting of all employees. The purpose of this meeting was to discuss the rights of the employees under the law, if it became a law. We were told of the three forms of representation—

1. Outside, such as those belonging to the American Federation of Labor.

2. Inside, such as the form we have.

3. Individual.

The management did not recommend that we do anything in particular, and would not appoint any committee.

On June 5th a committee of twenty-four employees elected by the employees of the different departments of the plant was formed to determine which plan of representation was wanted. The verbal expression of the employees indicated their preference for some kind of inside representation. These groups were made up of employees without supervisory powers.

The same group of twenty-four men met with the management to further discuss the matter of organization. The Committee requested the manager to secure for them various types of employee representation plans. The management agreed to do this.

However, because the management desired an expression from all employees as to their preference, the Committee decided to have a vote of the entire plant, on a yes or no basis as to whether or not an inside organization was wanted.

The Committee selected seven men to conduct this election, and using ballots, absolutely unmarked as to identification of the voters, the result was in this election held June 6, 1933, 225 for inside organization, 2 returned unmarked, 227 issued and accounted for.

After various employees representation plans had been studied, the Interlake Management presented a plan to all plants, which seemed to be broader and more satisfactory.

On June 15, 1933, the same type of election was held, under the strict supervision of the employees' committee, with unmarked ballots deposited in sealed boxes. The result of this election was: 217 for the Interlake Plan, 4 against the Interlake Plan, 9 unmarked; 230 issued and accounted for.

The Chairman: Now, I understand that you first had a ballot on the question of whether you would have an inside organization or not, and the employees voted to have an inside organization, and the committee of the employees then negotiated with the employers and decided to select a representation plan?

Mr. Grimm: Yes, sir.

The Chairman: That plan that best suited them, that they would follow?

Mr. Grimm: Yes, sir.

The Chairman: And that question whether they would accept that plan or not was submitted to the employees and they voted to accept it by the vote you just stated?

Mr. Grimm: Yes, by the sealed ballot.

The Chairman: Was there an opportunity given to the men to see the plan in the meantime?

Mr. Grimm: Yes, sir, the plan was given to them. Everybody had a chance to read and understand it.

The original committee then met and elected a temporary Chairman and a temporary Committee on Rules to group the employees and carry out the first election as provided for under the plan adopted.

On June 20, 1933, the nomination or primary election was held, and on June 23, 1933, the election of representatives was held. Both under the strict supervision of the employees. It had been decided by the organization committee that seven men would properly represent the entire plant, and this number was elected.

In all four elections held the ballots were unmarked for identification of any kind, and the supervision or management agents did not talk to or advise the employees, and was held under the strict supervision of the employees.

As a result of the election of representatives, the seven properly elected employees met and elected a general chairman, secretary, and a committee on rules.

Several changes have been instituted by the employees. An association under the plan adopted was formed, and the management asked to sign an agreement to operate under it. Application blanks, cards, etc., were secured,

and membership in the Association of new employees was solicited.

From the time of the institution of this plan of employee representation until March 31, 1934, 163 cases have been handled by the Association, requiring an adjustment of one kind or another. 148 of those cases have been declared in favor of the employees; 4 declared against them, three withdrawn and eight now pending.

The cost to the company averages $140 per month, and this will probably drop as the outstanding causes for adjustment are cleaned up.

The foregoing is a true statement of the manner in which our plan was formed and the results. There has been absolutely no attempt on the part of the management to coerce or in any way interfere with our Association. I firmly believe that this is the best and most workable form of employees representation. I represent 450 employees, and this is their unanimous belief, and we feel that everything possible should be done to protect this type of organization.

I am therefore here to voice a protest against legislation like the "Labor Disputes Act." which would certainly destroy our type of organization.

We have never had labor trouble at Toledo, even in the Steel Strike of 1919. And we are obeying the law under the NRA. If the Wagner bill becomes law it will cause a fight between the A. F. of L. and the men who want our type of organization, for the satisfied men who are well represented under the sort of plan we use, will never stand for the tyranny that the A. F. of L. will try to force on them. I cannot see how this bill can help National Recovery, and if it is not helpful it must be harmful. And it will certainly be harmful to the Iron and Steel Industry on which we are depending for work and for our living.

STATEMENT OF MR. CHARLES ERICKSON, EMPLOYEE REPRESENTATIVE, CARNEGIE STEEL COMPANY

The Chairman: I understand Mr. Erickson will speak for the group representing the United States Steel Corporation. Together with Mr. Erickson, there appear here today Mr. David L. Williams, Chairman Employees Representatives, Laughlin Works, American Sheet & Tin Plate Company, Raymond O'Donnell, Secretary Employees Representatives, Laughlin Works, American Sheet and Tin Plate Company. F. L. Toy, Homestead Works, Carnegie Steel Company; John P. Shields, Homestead Works, Carnegie Steel Company, R. L. Leffler, Duquesne Works, Carnegie Steel Company; Robert Scott, Vandergrift Works, American Sheet & Tin Plate Company; William B. Hadden, Chairman, Employees Representatives, Vandergrift Works, American Sheet and Tin Plate Company. J. B. Patrick, Oliver Iron Mining Company, G. E. Kirmode, Oliver Iron Mining Company, W. S. McNabb, Illinois Steel Company, William Hepson, Illinois Steel Company, H. Mallinson, Illinois Steel Company, Tom Foggett, Illinois Steel Company, J. L. Vance, Tennessee Coal, Iron & R. R. Co., J. C. Harper, Tennessee Coal, Iron & R. R. Co., Patrick Boyle, Chairman Employees Representatives, Lorain Steel Company, William Strohler, Secretary, Employees Representatives, Lorain Steel Company.

Mr. Chairman and Mr. Davis: My name is Charles Erickson, employed as first helper in the Open Hearth Department of the Duquesne Works of the Carnegie Steel Company, Duquesne, Pennsylvania. I have been in the employ of the Carnegie Steel Company for 31 years. In June, 1933, I was elected an employee representative and

shortly thereafter was elected chairman of the representatives.

Employee representatives were elected by secret ballot without interference, restraint, or being influenced by the company. All eligible workmen were entitled to vote.

The plan of employee representation has been very successful at Duquesne and has been responsible for better and closer cooperation between the employees and the company. Working conditions have improved, a number of wage adjustments arranged, and safety, sanitation and welfare problems satisfactorily agreed upon.

These improvements in working conditions and satisfactory settlements of many problems are brought about through direct contact with the management, and with the least possible trouble to all concerned. To the majority of the employees and their employer, the fast working, constructive, well balanced machinery of employee representation is much more attractive than outside representation. It brings the management and employees into direct contact, with the result that each has a better understanding of the other's problems.

It is ready at an instant's notice to clear up minor troubles. When sincerely planned it provides employees with true collective bargaining. Employee Representation at Duquesne has been free from racketeering and the petty politics, a condition too often found in outside representation.

We at Duquesne feel that we can carry on satisfactorily, and to our advantage, with the present plan of employee representation. We pay no dues, and this in itself, is quite an important item under present low rates of operations. We are not bound by union "red tape" and rules. We are not compelled to stop work in the event

some nearby plant develops internal troubles over which we have no control or direct interest.

Our men are promoted on merit. We believe that the outside union protects the industrial slacker and has a tendency to prevent the industrious and ambitious workman from procuring his just reward.

Our disagreements and misunderstandings have been settled quickly and fairly, by men who are actually on the job and familiar with local operating conditions. We have no walking delegates to interfere in problems about which they know little, if anything at all.

I do not believe that the friendly spirit of cooperation now existing between the company and its employees can be duplicated, or even approached, by any plan of complete unionism, as proposed by the Wagner bill. I cannot see wherein the employee will be benefitted by being dictated to by a lot of union officials whose sole object seems to be collect dues and stir up trouble.

I firmly believe that harmony and well being demand that the employer and employee be permitted to frankly discuss and arbitrate the form of works organization that they should set up. Each group should have, and exercise, the right to properly influence the other by reasonable argument, but not by threat or coercion. Fairness and true Americanism demand that both the employer and the men should have equal right to influence employees. This right is denied the employer but granted to the union under the Wagner bill.

Concluding, I am opposed to the Wagner bill because it subjects me to dictation as to what organization I must belong to. It necessarily means increased outlay of money on my part, and on the part of all other employees, to support and maintain an organization which is given us

whether we like it or not. We have no freedom of choice as to the men chosen to represent us before the management. The men normally at the heads of local labor organizations are not, and cannot be, as familiar with our working conditions as are the representatives now chosen by us. It necessarily follows that in negotiations with the management, under the Wagner bill, delays, misunderstandings and ultimately strikes will result. We will get quicker action and more favorable results when our own representatives deal directly with the management, and both sides get together on a common ground with which they are familiar through daily contact and unity of interest.

Finally it is my opinion that the type of men now directing the two outside labor unions active in Duquesne are absolutely unfitted by education, experience or capability to properly present employee problems before either the management or any other body.

STATEMENT OF MR. JOHN B. SHIELDS, EMPLOYEE, HOMESTEAD PLANT, CARNEGIE STEEL CO.

Mr. Chairman and Gentlemen of the Committee:

It is a great honor to appear here today and it is my sincerest wish that something I say here will be of aid to you in the solution of the problems you are considering.

I am John P. Shields, at the present time, and for the last eleven years, employed at the Homestead Plant of the Carnegie Steel Company. As I am a timetaker, my position has kept me in close touch with the sentiment of the men in practically all departments over a period of years. I believe and I hope I am right when I say I know

just what the employees in that particular plant think and desire.

Any discontent that exists at the present time at Homestead Steel Works may be attributed to the lack of operation rather than to any other condition. A steel worker is not a transient employee at Homestead. He is ordinarily a local man, buying his home, raising and educating his family in the vicinity of the steel works, fully intending to remain in that district and work in that particular plant until he is retired on a pension justly deserved by his years of faithful service.

Any place men work there are grievances of a minor nature and issues of great importance. Grievances are easily straightened out, but the issues require thought and study on the part of all concerned, and for this reason our President, knowing that employers practically dominated settlements on issues involving employer and employee, insisted that the employees be represented by representatives of their own choosing for the purpose of collective bargaining.

In Homestead Steel Works we have collective bargaining under the employees' representative plan. Men were nominated and elected by secret ballot, without interference from any source, in fact close association with the management meant the defeat of many good candidates. This choice of representatives was honest and highly regular.

Our grievances have been remedied through the use of this plan and we have developed men capable of presenting and defending our views on issues and policies. We have in some issues won our points, in others we lost, and in some cases compromised, but in all instances and at all times we have bargained collectively, peacefully and with no reprisal.

This is the manner in which we have functioned. We will develop men of ability to continue this work. Naturally we prefer men familiar with the situation, whose very familiarity will insure us representation and save us from misrepresentation.

At no time do we desire to develop power into control with the resultant evils. We insist on the right to settle our own problems and issues, at all times believing in and practicing collective bargaining. We believe in free choice as to form and, having made that choice, request the opportunity to prove the wisdom of that choice. We are opposed to interference that would lead from "collective bargaining" to "collective demanding" and persecution. We prefere industrial peace rather than industrial war. I will appreciate any question that will clarify any statement made by me.

STATEMENT OF MR. BEN B. GILLESPIE, EMPLOYEE, TENNESSEE COAL, IRON & RAILROAD COMPANY

My name is Ben B. Gillespie, I am an employee of the Tennessee Coal, Iron and Railroad Company, located at Birmingham, Alabama. My occupation is that of roller on the blooming mill of the above mentioned works. I have been in the service of the T. C. I. & R. R. Company approximately 26 years.

My first occupation was that of a common laborer, on which job I remained about one month, when I was transferred to that of drill press operator in the finishing end of the rail mill, where I remained about three years. I was then transferred to the blooming mill as a wrencher, in which position I remained for about two years, when I was made blooming mill shear operator, in which posi-

MICRO CARD

tion I remained for approximately seven years, when I was promoted to the position of blooming mill manipulator in which position I remained for ten years, when I was promoted to that of roller which position I still hold.

So much for my service record.

As to my status as an employee representative, I have this to say. In June, 1933, the T. C. I. & R. R. Company submitted to their employees a plan of employee representation and in an election conducted by the employees on June 23rd, 1933, I was elected a representative of the employees in the Mills Department of the Ensley Works. This election was managed and controlled by the rank and file employees themselves, no one in a supervisory capacity having had anything whatsoever to do with it. In other words, the election was absolutely free from any influence, coercion, or intimidation on the part of the management. Following this election the sevaral committees provided for under the plan were formed and began immediately to function, and I can truthfully say that excellent progress has and is being made.

On April 2nd, 1934, I was selected by my fellow representatives to go to Washington, and appear before the Senate Committee on Education and labor to protest the passage of this bill on the following grounds.

First: The bill contemplates the outlawing of a plan of representation that has proven both profitable and satisfactory to my fellow employees.

Second: It is eminently unfair in that it penalizes the employer for so-called unfair labor practices, but provides no penalty for unfair labor practices on the part of labor or labor organizations.

Throughout the depression, our company has distributed relief to the employees in the form of food, cloth-

ing, medical, hospital and dental service, water, light, fuel and house rent. The outlay for the above-mentioned relief, we have been reliably informed amounts to nearly ten million dollars.

Third: In addition to the above, our company provided the land free of charge.

Gentlemen, what I want to show there is that our district had been hit harder than any other district in the United States, but our company has been right on the job.

Senator Davis: Do you have the cooperative store in Ensley now?

Mr. Gillespie: Yes, sir.

Senator Davis: How does that operate?

Mr. Gillespie: Well, during this depression they operated wonderfully. They fed us, that is what they did. Thousands of us lived out of it.

Senator Davis: Was it given to you in the form of relief or just extended credit?

Mr. Gillespie: Extended credit. And also they knew full well that there was a lot they never would collect. There was hundreds and thousands of dollars that they will never be able to collect.

Senator Davis: Is one who trades at the commissary given preference in his work over those who patronize the cooperative store?

Mr. Gillespie: I do not think so, not to my knowledge.

Third: In addition to the above, our company provided the land free of charge for truck gardening to all employees who desired it. In many cases free seed was furnished and in all cases the company either plowed the ground or furnished stock and equipment for that purpose, also without charge.

The above voluntary acts on the part of the company have played their part in bringing about this friendly relationship of which we speak, and for which we are both grateful and proud, and we would very much regret to have anything occur that would disturb or in any way change them.

I thank you.

STATEMENT OF HON. NATHAN L. MILLER, GENERAL COUNSEL, UNITED STATES STEEL CORPORATION

It occurs to me, as I sit here, that it is somewhat of an anticlimax, after what you have heard, for me to conclude this discussion, because, as compared to the men to whom you have listened, I think probably I would rank with the authors of this bill, who have apparently generalized from an extremely limited experience, and an extremely limited knowledge of the industrial conditions that prevail in this country.

My first proposition, gentlemen, is that this measure, or anything comparable to it, is neither expedient nor in the public interest at the present time. The NRA has been in practical operation scarcely more than six months. Some codes have been in effect a little longer, many for a shorter period. The next Congress will have to determine what legislation, either of a permanent or a temporary character to enact, as a result, not only of the experience we have had up to date, but of the accumulated experience which we shall then have had from this period until the Congress shall be called upon to determine what to do.

Now, whether you have got any doubt at all about your powers, nobody can doubt that this measure proposes a

very, very, great extension of Federal power into the field of industrial relations, which involves problems of the very greatest difficulty, complexity and delicacy. You cannot make such an extension of power without its repercussions.

I think no one can doubt that this measure has within it, the seeds of the serious industrial conflicts. It offers encouragement and incitement to industrial conflict. But wholly apart from that, from the mere unsettling, disturbing and disquieting effect that so vast an extension of Federal power would have, I say to you gentlemen, that it is my deliberate opinion that already its mere proposal has had a decided check upon the upturn of business, and that the enactment of this measure would undoubtedly set a very decided brake upon the forces that are now unquestionably making for recovery.

Now, it is asserted, as I understand it, that representatives, or that employees are at a disadvantage in dealing with management, because management can discharge them. Now, that is undoubtedly true in the case of the individual employee, speaking for himself, except in those smaller enterprises where there is a close personal relation between the employee and the heads of the company, but in a large organization, of the numbers that the last speaker referred to, the individual worker, dealing for himself, is at a disadvantage, because he can be fired and there is always somebody ready to take his job. And that is a sound reason for collective bargaining. That is why I admit the soundness of the principle of collective bargaining. But that reason, gentlemen, entirely disappears the moment the worker, or the employee, is speaking for numbers, as the representative of his fellows.

I venture to say, although I believe statements to the contrary have been made, that no management, no re-

sponsible management in this day would dare to intimidate, to exercise coercion or intimidation over representatives so acting, or would dare to discharge them because they pressed the claims of their fellows. You have seen here today types of these men. Do you think they can be intimidated?

Now, it is also plain, as I understand it, that employers refuse to recognize this principle of collective bargaining. That is contrary to the statement made by the President. That is contrary to the great hope that he held out. That is contrary, gentlemen, to general experience within the knowledge of everybody. The employers as a whole have recognized that principle and there have been a few recalcitrants about whom I have no knowledge, or if they have been exceptions, it certainly is possible to deal with those exceptions without undertaking to regiment industry as a whole.

Now, what is really meant, I apprehend, by those who assert that there is refusal to recognize collective bargaining, is that a number of employers do refuse to make contracts without outside labor organizations governing their relations with their employees. I say that is what is meant, because this bill seeks to compel that very thing by defining "representative" as including labor organizations and by empowering this Board that is to be created with the extraordinary power of determining in such manner as it may deem appropriate who are entitled to speak as the representatives of the men.

Now, gentlemen, there has been, Senator Davis knows it well, enormous progress in the last 25 years in the improvement of industrial relations and in the evolution of this problem, but I tell you that the men who were dealing with it daily would probably differ as to what is the best plan or system. The best one has not yet been evolved.

It may come about, in the course of time, that the so-called national and international labor organizations may earn and secure the right to speak for all labor, but, gentlemen, before that time arrives, certain things will have to happen. In the first place, by the same appropriate means responsibility will have to be assured. And yet the Congress, only last year, in the injunction law that was passed, expressly provided that neither the officials of labor organizations, nor the organizations themselves should be responsible for the acts of officials, officers, or agents, unless it could be plainly proved that they had participated in or had ratified certain acts.

And another thing will have to be demonstrated before these organizations now representing, according to the outside claim not more than ten per cent of the workers, can be entrusted with this power. They will have to demonstrate the capacity, they will have to demonstrate the right disposition to be trusted with such a power, and I will not take your time to discuss the matters of record which demonstrate that at this hour they are far from demonstrating either responsibility, capacity or the right disposition to be clothed with any such power. That is what really what is meant when it is said that employers refused to submit their relations with their employees to outside organizations. This bill would compel it.

Now I read that it has been argued here that it is not necessary to make this provision apply to the workers, because the courts of equity, even since the injunction law that was passed last winter, have full power to prevent such unlawful acts. Well, it doubtless is true that where you had a case such as was described by the witness, where numbers were participating, where acts of violence were threatened, you would undoubtedly have the evidence upon which to apply to the Court for an injunction. But the kind of intimidation and coercion that I am speaking about

is the insidious kind that one witness described, where they go to the homes, where a man passing along the street at night has something hit him on the head and he does not know from what quarter the blow comes. It is the kind of intimidation that everyone knows is practiced and that there is no possible relief against by applying to any court for injunction. What this bill does is to class legitimate acts of employers, as I am going to say in a moment, as unlawful and unfair practices, without one word in restraining the other kind of acts.

The fact is, gentlemen, that the American working man is a very reasonable being. All he wants is a square deal. When you satisfy him that he is getting a square deal he will be content. If he thinks he is not he will not be content and he will undertake to secure redress. The concern of the management today is to leave no thought in the minds of employees that they are not securing a square deal, and more.

Now, I might just for a moment specifically direct your attention to the provisions of this bill which I think are the heart of it. I have referred to the provision that includes labor organizations among representatives. I now refer to subdivisions 3 and 4 of section 5. There isn't such a thing as a dominating company union. One could not exist for any length of time. Do you think you could kid these men that are here today? Do you think that you could make these workers content if their representatives were tools of the management? Don't you think they would find it out? Any company that undertakes to dominate is bound to meet with defeat, and worse than that.

Now I am going to pass, without further comment, I am going to pass upon section 205, because I am sure its remarkable provisions have already been pointed out to you, and the possibilities of abuse that could go with it.

What I have to say about it is that it does not even approximate due process, and if you are going to create such a board with such extraordinary powers, the procedure ought to be sufficiently and carefully defined at least to approximate due process. I do not believe that Senator Wagner, with his judicial experience, ever drafted section 205, at least I will not believe it unless he personally assures me that he did. This judicial review that is provided in this bill is nothing more than a means of enforcing the decrees of this Board. As a review it is a farce, and if you were going to create a new board with such extraordinary power and go into this new field I suggest that at least there should be the broadest judicial review, both upon the facts and the law, with the power to determine not only the sufficiency of the evidence, but the quality of the evidence.

I have but one more obligation to make, gentlemen, and that is that there is no politically constituted body that now or ever will be, until human nature changes, suited to exercise the extraordinary powers conferred by section 207, and it is so patent that at this hour I am not going to take time to elaborate that proposition.

Now I appreciate the courtesy that you have extended to me, Mr. Chairman. I want to submit to you for your serious consideration the question whether, at this juncture, any legislation so drafted and so extreme as this, while we are engaged in this great experiment, what effect is in the public interest.

BOARD'S EXHIBIT NO. 27

MEMBERS IDENTIFICATION

This is to Certify that

Joseph M. Cox

has accepted Membership in the EMPLOYEES' REPRE-

SENTATIVE ASSOCIATION for Employees of Canton Plants, Republic Steel Corporation

Badge No. 24-534 Date 4-24-37

Ray J. Lilly
Secretary

Attest:
Frank S. Geltz
Chairman

BOARD'S EXHIBIT NO. 28

REPUBLIC STEEL CORPORATION

Proposed Revision of the Plan of Employes Representation

Adopted—1933
Amended—1934-1935
March 8—1937

Revision based on Buffalo District (Blue Book) with inserts culled from other various Districts.

Letter of Transmittal

Buffalo District

To: Vice President in Charge of Operations and Director of Industrial Relations, Cleveland Ohio

Gentlemen:

By direction of the Central Council of Employee Representatives at a Cleveland Conference, the Temporary Secretary submits his report on the Proposed Revision of the Plan relating to Collective Bargaining.

E. L. O'Connell

This Plan of Employee Representation has been adopted for the purpose of providing an orderly, effective, and expeditious medium of Collective Bargaining with the management on all matters pertaining to wages, hours, grievances and working conditions; to extra date a fair adjustment of any difficulties; maintain tranquility; and to promote a spirit of fair dealing in the mutual interest of Employees and Management.

PLAN OF EMPLOYEE REPRESENTATION

I.

Representation

1. Employ Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof.

2. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Committee on Rules, Ways, and Means.

3. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had of logical groupings and location.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for reelection.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancy in the office of an Employee Representative, for which there is no alternate, as described in Paragraph 15 of Section IV hereof, may be filled for the unexpired term, at the discretion of the Committee on Rules, Ways, and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee, who has been on the Company's payrolls for a period of at least one year immediately prior to nominations, who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees, who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nomination shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives.

4. This Plan shall in no way discriminate against any employee because of race, sex or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV.

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the Month of June. Nominations shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nomination or election, as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations by the Committee on Rules, Ways and Means, Thru Tellers Designated by Such Committee

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting Division is entitled.

6. If, on any one ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be elected.

Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected, shall be declared nominated, and shall be candidates for election.

Elections

9. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

10. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

11. Each voter shall deposit his own ballot in a box provided by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The can-

didate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

12. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

13. In the event of a controversy arising concerning any nomination or elections, it shall be referred to and decided by the Committee on Rules, Ways and Means.

14. The Committee on Rules, Ways and Means may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

15. Candidates failing of election shall stand as alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Management's Representative

(Two paragraphs follow, both crossed out with this notation thereon: "Out".)

V.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Committee of Employee Representatives.

2. After each annual election, the duly elected representatives shall meet within five (5) days for the purpose of electing a Chairman, Vice Chairman and Secretary and Treasurer for the General Body and delegates to Central

Council, which officers and delegates shall be elected from among the duly elected Employee Representatives.

The General Body of Employee Representatives shall select members as deemed advisable and necessary for the following Committees.

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules, and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation, and Welfare Activities.

Committee No. 4—Appeals and Advisory Committee.

3. The Appeals and Advisory Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals and Advisory Committee.

4. Each Committee shall be composed of members of, and selected by, the General Body. Each Committee shall elect its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular or special meeting of the General Body of Employee Representatives.

VI.

Committee Meetings

1. Regular meetings of Committees may be held every month.

2. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work of the Committees, and discussing any matters of general interest.

3. A majority of the General Body of Employee Representatives or any committee shall constitute a quorum at any meeting thereof.

4. Special meetings of Committees may be held as occasion may require on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

5. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

6. A Committee, in considering matters of a special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the employees and of the company; also, employees likely to be especially interested in such matters.

7. Any matters may be referred by the Management through Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee for the Management's Representative.

8. Committee on Rules, Ways and Means shall arrange a suitable place for meetings of the general Body of Employee Representatives and of the Several Committees.

VII.

Central Council

The Central Council, representing steel plants shall be composed of delegates of duly elected Employee Representatives to be elected by the General Body, viz:

District or Plant	*Delegates*
Cleveland	2
Canton	2
Massillon	2
Buffalo	2
South Chicago	2
Warren	2
Youngstown	2
Dilworth-Porter (Pittsburgh)	
Grand Crossing	1
Moline	1

Officers of the Central Council shall consist of Chairman, Vice-Chairman and Secretary and Treasurer to be elected by the Delegates to the Central Council, such officers to hold office until their successors are elected.

The Central Council may meet semi-annually preferably during the months of January and July. Special meetings of the Central Council may be called when deemed necessary.

VIII.

Annual District Conference

An Annual District Conference between all of the Employee Representatives and the Management shall be held at a time and place determined by the proper committee, which shall regulate the procedure at such Conference.

IX.

Procedure for Adjustments

1. Any matter, which in the opinion of any employee, or group of employees, requires adjustment, and which such employee or group of employees has been unable to adjust, either directly with the foreman or through his or

their representative, may be taken up by such employee or group of employees, either in person or through any representative of his or their department in writing.

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, in an endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper committee.

2. Unless satisfactory disposition of any such matter has been effected within fourteen (14) days, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the proper Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The proper Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts for a settlement. Failing satisfactory disposition by proper Committee such matters shall be referred to General Industrial Relations Department.

Failing satisfactory disposition by the General Industrial Relations Department the President of the Company shall be notified. Failing satisfactory adjustment by the President, the matter shall be referred by the President and a majority of the Employee Representatives on the Appeals and Advisory Committee to a Board of Arbitration to be composed of three members; one member to be

selected by the Appeals and Advisory Committee; one member by the Management; and these two members to select a third member satisfactory to both parties. The decision of any two of the three arbitrators thus chosen shall be final and binding on both parties.

Any adjustments in rates determined by above procedure shall be made effective as of the date the written request was filed with the Department Head. Requests for changes in rates shall be considered closed upon a decision of the proper Committee and the Management unless an appeal is filed in writing by the employee or his representative with the Management's Representative within a period of three (3) days after the decision was rendered.

X.

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative or Employee assisting him shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the General Industrial Relations Department, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the State Department of Labor or the Secre-

tary of Labor of the United States. The Company shall furnish the said State Department of Labor or the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said State Department of Labor or the said Secretary of Labor shall be binding and final.

XI.

Amendments

Any method of procedure hereunder, may be amended by a two-thirds vote of the Employee Representatives at any meeting of the entire General Body of Representatives, provided that each Representative has been notified in writing, at least, ten (10) days prior to such meeting, giving the substance of the amendments to be voted upon.

The Chairman of the Central Council shall be notified of all amendments adopted.

BOARD'S EXHIBIT NO. 29

PLAN OF EMPLOYEE REPRESENTATION
CANTON PLANT

As Amended, April 22, 1937

This Plan of Employee Representation has been adopted for the purpose of providing an orderly, effective, and expeditious medium of Collective Bargaining with the Management on all matters pertaining to wages, hours, grievances and working conditions; to expedite a fair adjustment of any difficulties, and to promote a spirit of fair dealing in the mutual interest of Employees and Management.

PLAN OF EMPLOYEE REPRESENTATION

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Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof.

2. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Committee on Rules, Ways and Means.

3. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had of logical groupings and location.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for reelection.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancy in the office of an Employee Representative, for which there is no alternate, as described in Paragraph 15 of Section IV hereof, may be filled for the unexpired term, at the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee, who has been on the Company's payrolls for a period of at least one year immediately prior to nominations, who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees, who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nomination shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives.

4. This Plan shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV.

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1. Nominations and elections of Employee Representatives shall be held annually in the Month of June. Nominations shall be held on the second Tuesday and elections

on the following Friday of such month. In the event of either of these days being a holiday, then the nomination or election, as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with the rules and regulations prescribed by the Committee on Rules, Ways and Means.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished by the Committee on Rules, Ways and Means through Tellers designated by such Committee, a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If, on any one ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be elected.

Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected, shall be declared nominated, and shall be candidates for election.

Elections

9. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through Tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

10. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

11. Each voter shall deposit his own ballot in a box provided by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

12. In the event of a tie, selection shall be made by lot under direction of the Committee on Rules, Ways and Means.

13. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

14. The Committee on Rules, Ways and Means may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

15. Candidates failing of election shall stand as alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Committee

1. Wherever the word "Committee' is used throughout this instrument, it shall mean a Committee of Employee Representatives.

2. After each annual election, the duly elected representatives shall meet within five (5) days for the purpose of electing a Chairman, Vice Chairman, Secretary and Treasurer for the General Body and delegates to Central Council, which officers and delegates shall be elected from among the duly elected Employee Representatives.

The General Body of Employee Representatives shall select members as deemed advisable and necessary for the following Committees:

Committee No. 1 — Rules, Ways and Means.

Committee No. 2 — Wages, Employment, Schedules and Working Conditions.

Committee No. 3 — Safety, Health, Plant Sanitation, and Welfare Activities.

Committee No. 4—Appeals and Advisory Committee.

3. The Appeals and Advisory Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals and Advisory Committee.

4. Each Committee shall be composed of members of, and selected by, the General Body. Each Committee shall elect its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular or special meeting of the General Body of Employee Representatives.

VI.

Committee Meetings

1. Regular meetings of Committees may be held every month.

2. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work of the Committees, and discussing any matters of general interest.

3. A majority of the General Body of Employee Representatives or of any Committee shall constitute a quorum at any meeting thereof.

4. Special meetings of Committees may be held as occasion may require on approval of the Chairman of the General Body of Employee Representatives.

5. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

6. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into the conference the Representatives of the employees and of the company; also, employees likely to be especially interested in such matters.

7. Any matters may be referred by the Management to any Committee for consideration and report, and any matter may be presented by a Committee to the Management.

8. Committee on Rules, Ways and Means shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees.

VII.

Central Council

The Central Council, representing steel plants, shall be composed of delegates of duly elected Employee Representatives to be elected by the General Body, viz:

District or Plant	*Delegates*
Cleveland	2
Canton	2
Massillon	2
Buffalo	2
South Chicago	2
Warren	2
Youngstown	2
Dilworth-Porter (Pittsburgh)	2

Grand Crossing	1
Moline	1

Officers of the Central Council shall consist of Chairman, Vice-Chairman, Secretary and Treasurer, to be elected by the delegates to the Central Council, such officers to hold office until their successors are elected.

The Central Council may meet semi-annually, preferably during the months of January and July, Special meetings of the Central Council may be called when deemed necessary.

VIII.

Annual District Conference

An Annual District Conference between all of the Employee Representatives and the Management should be held at a time and place determined by the proper committee.

IX.

Procedure for Adjustments

1. Any matter, which in the opinion of any employee, or group of employees, requires adjustment, and which such employee or group of employees has been unable to adjust, either directly with the foreman or through his or their representative, may be taken up by such employee or group of employees, either in person or through any representative of his or their department in writing.

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, in an endeavor to effect a

settlement, or who may with the approval of all the parties refer the matter to proper committee.

2. Unless satisfactory disposition of any such matter has been effected within fourteen (14) days, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the proper Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The proper Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts for a settlement. Failing satisfactory disposition by proper Committee on such matters shall be referred to General Industrial Relations Department.

Failing satisfactory disposition by the General Industrial Relations Department the President of the Company shall be notified. Failing satisfactory adjustment by the President, the matter shall be referred by the President and a majority of the Employee Representatives on the Appeals and Advisory Committee to a Board of Arbitration to be composed of three members; one member to be selected by the Appeals and Advisory Committee; one member by the Management; and these two members to select a third member satisfactory to both parties. The decision of any two of the three arbitrators thus chosen shall be final and binding on both parties.

Any adjustments in rates determined by above procedure shall be made effective as of the date the written request was filed with the Department Head. Requests for changes in rates shall be considered closed upon a decision of the proper Committee and the Management un-

less an appeal is filed in writing by the employee or his representative with the Management's Representative within a period of three (3) days after the decision was rendered.

X.

Amendments

Any method of procedure hereunder, may be amended by a two-thirds vote of the Employee Representatives at any meeting of the General Body of Representatives, provided that each Representative has been notified in writing, at least ten (10) days prior to such meeting, giving the substance of the amendments to be voted upon.

The Chairman of the Central Council shall be notified of all amendments adopted.

BOARD'S EXHIBIT NO. 30

GENERAL BODY OF EMPLOYEE REPRESENTATIVES OF CANTON

Minutes of a special meeting of the General Body of Employee Representatives held Friday, March 5, 1937.

Chairman Geltz called the meeting to order at 4:15 P. M.

The roll was called, and all employee representatives were present. In addition, Mr. Carl W. Myers, Assistant District Manager, and Mr. G. H. Lohneis, Management's Representative, were present for a part of the meeting.

The Chairman announced that this meeting had been called at the request of the Management; therefor, Mr. Myers was given the floor immediately.

Mr. Myers spoke briefly regarding the action of another steel corporation in signing an agreement with the Committee for Industrial Organization. In order to clarify the position of the Management of Republic Steel, Mr. Myers said the following statement had been released to newspapers for publication:

> "Republic Steel Corporation today issued the following statement, defining the company's position with respect to collective bargaining:
>
> The policy of this Company has been, and is now, that it will meet with any person or persons, or organization, and will bargain with them for whomsoever they represent. If any union or organization claiming to represent any of our employees asks for a conference with our company, we will meet and bargain with them for whomsoever they represent. This is in conformity with our General Policy as stated above.
>
> Likewise, we will continue to meet and bargain with the Employee Representatives for the employees whom they represent. We repeat the statement which we made to you last July. Republic stands for the open shop principle. No employee has to join any organization to get or hold a job."

Mr. Myers pointed out that this policy would, in no wise, alter the relations our organization has with the Corporation, and that we may expect the same degree of cooperation from the Management that we have received in the past.

Mr. Myers then announced that a conference of Employee Representatives with the Cleveland Management would be held on Monday, March 8th, to work out details of the wage increase recently announced. To attend this

conference, each General Body of the Corporation is to select two Employee Representatives.

At this point, Mr. Myers and Mr. Lohneis retired from the meeting in order to allow the General Body to select their representatives to this conference, and to ascertain the sentiment of the Body on the matters to be discussed at the conference.

Considerable discussion then ensued regarding the points to be brought up at this conference, and it was finally decided after thorough deliberation that the two men selected from this Body should be instructed as follows:

(1) To insist on an increase of 10¢ per hour for all employee not included in the minimum wage ruling, as requested in the minutes of our General Body meeting of February 17, 1937. In this connection, our delegates are to give special attention to men working 48 hours per week, in order that their weekly earnings will not be lessened by the new maximum 40 hour week.

(2) To insist that all jobs up to the position of Superintendent, be included in the new maximum 40 hour week ruling.

(3) To insist on a vacation plan as requested in the minutes of our General Body meeting of January 20, 1937; namely, that all employees be provided one day's vacation with pay for each year of service up to five years, and two weeks vacation with pay for employees with five years service or more.

(4) To bring to the attention of the Management that on several occasions in the past, announcements regarding wage increases and other matters regarding employer-employee relationship have been given to newspapers before Employee Representatives have been informed.

Each of these points, voted on separately, carried by unanimous rising vote.

Stokoe moved that the selection of two delegates from this Body be made by secret ballot; seconded by Deafenbaugh, voted on and carried. The Chairman appointed Lappin and Tebay as Tellers. The result of the voting gave Geltz the highest number of votes, and Cox the second highest number. Geltz and Cox are therefore, empowered to represent this Body at the Cleveland Conference.

A motion to adjourn was made by Stokoe, seconded by Baum, voted on and carried.

R. J. Lilly,
Secretary.

Adjournment
8:10 P. M.

BOARD'S EXHIBIT NO. 31

MINUTES OF A SPECIAL MEETING OF THE GENERAL BODY OF EMPLOYEE REPRESENTATIVES HELD WEDNESDAY, APRIL 28, 1937

The Chairman called the meeting to order at 8:30 A. M.

The roll was called, and all representatives were present.

This meeting was called at the request of the Chairman of the General Body to further discuss the amended by-laws of the Plan, as well as to discuss ways and means for the continued operation of the organization.

The proposed amendments to the by-laws were again

reviewed, and it is the feeling of the General Body that no further changes should be made at this time.

Several methods of financing the organization were discussed. Lappin moves that dues in the Employees Representative Association shall be waived until such time as an accurate estimate of expenses can be had, and that some other method of raising finances, possibly thru a raffle, should be used temporarily. Seconded by Deafenbaugh, voted on and carried.

Schnierle moves that the Committee on Rules, Ways, and Means be called together to devise some method for financing the Association; seconded by Stokoe, voted on and carried.

The Chairman pointed out that the amended by-laws provides for the selection of a Treasurer, and that he would now ask for nominations for Treasurer. Dunn placed the name of Ray Lilly in nomination, supported by Deafenbaugh. Lilly placed the name of Curt DeWalt in nomination, supported by Burns. Tebay moves that nominations be closed, seconded by Fisher, voted on and carried.

The Chairman appointed Schnierle and Cox tellers. On a secret ballot, the result of the voting showed:

Dewalt 16
Lilly 11

The Chairman declared DeWalt elected Treasurer.

Scroggs moves that Employee Representatives be paid a monthly salary from the Treasury of the Association; seconded by Allen, voted on and defeated.

Lappin moves that the Chairman be empowered to appoint all unassigned representatives to committees; seconded by Dice, voted on and carried. The Chairman made the following appointments:

No. 1 — Dunn, DeWalt.
No. 2 — Burns, Baum.
No. 3 — Scroggs, Arnold.
No. 4 — Martin, Looman.

Force report made out covering employee representatives time.

Motion to adjourn was made by Stokoe, seconded by Cox, voted on and carried.

Adjournment 12:30 P. M.

R. J. Lilly,
Secretary.

Mr. Peppard, President, and Mr. C. Ray Wonderly, Secretary, of the Employees Relief Association, were invited to the regular General Body meeting of April 21, 1937 to discuss the finances of the Relief Association.

A copy of the Annual Report of the Relief Association for the year 1936, as well as a summarized report for the months of January, February and March 1937 was given each Representative.

Mr. Wonderly said that since May 1, 1935, when additional benefits were added to the schedule then in effect, a general decline in the Fund has been occurring. The amount of sickness and number of deaths among members during the winter just passed has been unusually high. Mr. Wonderly stated that in January, February and March, 1937, disbursements of the Association were $43,-297. 46, while the receipts for the same period were $28,-556.82, making a loss of $14,740.64 for the three months.

Mr. Wonderly said that the Board of Directors were now faced with the necessity of either increasing the dues or decreasing the benefits. The Directors feel that an in-

crease of 30¢ per month will restore the Association to a firm financial basis. In the event that the additional dues will create a Reserve Fund greater than the Directors feel is necessary, then such excess monies shall be used to pay the dues of members until such excess is exhausted.

After considerable discussion, the General Body of Employee Representatives on motion by Schnierle, seconded by Schweitzer, voted to recommend adoption of the plant to increase the dues and allowing the benefits to remain as at present.

R. J. Lilly.

(Secretary's Note: This action was not included in the published minutes of this meeting, because of the possibility of misinterpretation by employees. Within the next two weeks, the Relief Association will distribute a letter to each member, giving in much more detail the proposed plan than could be covered in our minutes. R. J. L.)

BOARD'S EXHIBIT NO. 32

REPUBLIC STEEL CORPORATION
Central Alloy District
Massillon Works

Plan of Employees' Representation

June, 1933

REPUBLIC STEEL CORPORATION
Central Alloy District
Massillon Works

Plan of Employees' Representation

Principles of Representation

The Republic Steel Corporation (hereinafter called the Company) inaugurates this Plan of Employees' Representation for the Central Alloy District, Massillon Works, in order to provide effective means of contact between the Management and the Employees, and an orderly and expeditious procedure for the prevention and adjustment of any future differences, to insure justice, maintain tranquility and promote the common welfare.

The Plan of Employees' Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I.

Representation

1. Employees' Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II.

Term of Office of Representatives and Vacancies

1. Employees' Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employees' Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his Department and upon such approval he shall cease to be such Representative.

3. An Employees' Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employees' Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employees' Representative.

2. All employees who have been on the Company's

payrolls for a period of at least sixty (60) days immediately prior to nominations and who are eighteen (18) years of age or over, shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employees' Representatives or qualified to vote for Employees' Representatives.

IV.

Nominations and Elections

1. Nominations and elections of Employees' Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with the rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on

ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employees' Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employees' Representatives to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times, the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employees' Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a

cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employees' Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employees' Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employees' Representatives as need may arise through vacancies or increased forces.

V.

Management's Representative

The Company shall appoint a Management's Repre-

sentative to facilitate close relationships between the Management and the Employees' Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employees' Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employees' Representatives.

The General Body of Employees' Representatives shall also select members for the following committees, viz:

Committee No. 1 — Rules, Ways and Means.

Committee No. 2 — Wages, Employment, Schedules and Working Conditions.

Committee No. 3 — Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4 — Appeals Committee.

3. The Appeals Committee shall consider all matters

not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employees' Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employees' Representatives.

6. Joint Committees shall consist of the Committee of the Employees' Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employees' Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII.

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. In months that the Joint Committees meet, a meeting shall also be held by the General Body of Employees' Representatives for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three

and five in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of Employees' Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employees' Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employees' Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the

discharge of duties herein set forth, when approved by a majority of said Committees.

VIII.

Annual Conference

An Annual Conference between all of the Employees' Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX.

Procedure for Adjustments

1. Any matter which in the opinion of any employee requires adjustment, and which such employee has been unable to adjust with the Foreman of the work on which he is engaged, may be taken up by such employee, either in person, or through any Representative of his Department or voting division in writing:

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within a reasonable time, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the Joint Appeals Committee by

a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employees' Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X.

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within

thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI.

Amendments

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employees' Representatives and of the Representatives of the Management at an Annual Conference.

BOARD'S EXHIBIT NO. 33

Republic Steel Corporation
Central Alloy District
Massillon Works

Plan of Employee Representation

Adopted June, 1933
Amended May, 1934

June 5, 1934

To the Employees of
Republic Steel Corporation,
Massillon, Ohio.

The Employee Representatives elected under the Plan of Employee Representation in June, 1933, have spent considerable time in the handling of all problems of work-

ing conditions, wages, hours of labor, safety, and many other questions presented to us by the workers.

During our term of office, we have made a careful study of the Plan, and a copy of it, containing certain changes which we believe improve it, is attached to this letter.

On Tuesday, June 12, 1934, we, the Representatives of this Plant, will hold nominations by secret ballot and an election by secret ballot on Friday June 15, 1934 for Employee Representatives, in accordance with Section IV of the By-Laws.

Your Rules, Ways and Means Committee has arranged for the nominations and elections and will provide ballot boxes and supply ballots.

Employee Representatives,

Jos. E. McArdle,
Jess Hollinger,
Walter Spicer,
R. S. Miller,
O. P. Coombs, Sr.,
C. P. Craver,
T. P. O'Neill,
O. W. Hannan,
Fred Brethauer,
W. Clary,
A. S. Rictherfad,
George Wagoner,
R. Stanley Smith,
Geo. W. Beam,
R. D. Seward,
Nick Linckenhely.

Republic Steel Corporation
Central Alloy District
Massillon Works

Plan of Employee Representation

Principles of Representation

The Republic Steel Corporation (hereinafter called the Company) inaugurates this Plan of Employee Representation for the Central Alloy District, Massillon Works, in order to provide effective means of contact between the Management and the Employees, and an orderly and expeditious procedure for the prevention and adjustment of any future differences, to insure justice, maintain tranquility and promote the common welfare.

The Plan of Employee Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I.

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age

or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nomination shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

IV.

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference by anyone with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. Those employees who received the largest number of votes, in any Department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more

persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and

in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Management's Representative

The Company shall appoint a Management's Representative to facilitate close relationships between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1 — Rules, Ways and Means.

Committee No. 2 — Wages, Employment, Schedules and Working Conditions.

Committee No. 3 — Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4 — Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII.

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. The General Body of Employee Representatives

may meet monthly for the purpose of reviewing the work of the Committees and Joint Committees. and discussing any matters of general interest.

4. All Committees (except General Body meetings) shall meet between the hours of three and five in the afternoon, the General Body shall meet at one o'clock, unless otherwise determined by joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means,

shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII.

Annual Conference

An Annual Conference between all of the Employee Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX.

Procedure for Adjustments

1. Any matter which in the opinion of any employee, or group of employees, requires adjustment, and which such employee, or group of employees, has been unable to adjust, either directly or through his or their Representative with the foreman of the work on which he or they are engaged, may be taken up by such employee, or group of employees, either in person or through any Representative of his or their Department in writing:

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties, refer the matter to proper Joint Committee.

Decision on any case or item to be presented to the Representative in writing by Management.

2. Unless satisfactory disposition of any such matter has been effected within one month, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the Joint Appeals Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X.

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the

Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States.. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI.

Amendments

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employee Representatives and of the Representatives of the Management at an Annual Conference.

BOARD'S EXHIBIT NO. 34

EMPLOYEE REPRESENTATION

Schedule of Regular Meetings of the Standing and Joint Committees of Employee Representation Plan—Central Alloy District—Republic Steel Corporation Massillon Works

No.	Committee	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May
		S	J	S	J	S	J	S	J	S	J	S
		Tue	Tue	Wed	Wed	Tue	Tue	Tue	Tue	Tue	Mon	Tue
1.	Rules, Ways, Means	2	6	4	2	5	3	7	4	3	6	5
		Mon	Mon	Tue	Tue	Mon	Mon	Mon	Mon	Mon	Wed	Mon

2. Wages, Employment	8 Wed	12 Wed	10 Mon	8 Mon	11 Wed	9 Wed	13 Wed	10 Wed	9 Wed	8 Tue	11 Wed
3. Safety, Welfare, etc.	10 Tue	14 Tue	16 Wed	14 Wed	13 Tue	11 Tue	15 Tue	12 Tue	11 Tue	14 Mon	13 Tue
4. Appeals	16 Mon	20 Mon	18 Tue	16 Tue	19 Mon	17 Mon	21 Mon	18 Mon	17 Mon	20 Wed	19 Mon
General Body	22	26	24	22	25	23	27	24	23	22	25

S—Indicates Standing Committees of Employee Representation.

J—Indicates Joint Committees.

All Committees meet at 3:00 P. M.—General Body meets at 9:00 A. M.

Membership of Committees for Year 1935-1936

Committee No. 1, Rules, Ways, Means: Employee Representatives—Chair. W. L. Graham, Secy. R. Machan, M. Trotter V. C., Harry Kime, Harry Jones; Company Representatives—C. C. Chase Chair, P. M. Angstadt Secy., R. J. McMahon, G. A. Tindall, J. Walsh.

Committee No. 2, Wages, Employment, Schedules & Working Conditions: Employee Representatives—Chair. N. Linckenhely, Secy. L. B. Clark V. C., A. Greenfelder, Raymond Barnes Secy. A. F. Kelly; Company Representatives—C. P. Betz Chair., L. Larson, B. R. Richardson, A. E. Smith, T. F. McNally.

Committee No. 3, Safety, Health, Plant Sanitation & Welfare Activities: Employee Representatives—Chair. C. W. Beckler, Secy. Paul Hoffman Secy., O. W. Hammer, F. L. Bryan, F. Seese; Company Representatives—R. E. Peppard Chair., M. C. Corrigan V. C., Andy Evans, B. F. Houghton, A. J. Blantz.

Committee No. 4, Appeals: Employee Representatives—Chair. Lee Cox, Secy. Frank Lerner, R. D. Seward, N. C. Brown Chair., J. O. Palmer; Company Representatives—C. V. Julian V. C., J. M. Komp Secy., J. M. Hill, J. D. Donovan, W. C. McConnell.

Notations on left side of [preceding] names denote Standing Committee Officers.

Notations on right side of [succeeding] names denote Joint Committee Officers.

General Body Officers for Year 1935-1936

R. D. Seward, General Chairman.
L. B. Clark, Vice Chairman.
N. C. Brown, General Secretary.

BOARD'S EXHIBIT NO. 35

NOTICE

A special meeting of the newly elected General Body of Employee Representatives, Massillon Works, will be held in the Employee Representation Room, Industrial Relations Building, opposite the Main Office, at 10:00 A. M., Wednesday, June 17, 1936 for the purpose of organization.

If you are working, please arrange to see your Foreman in order that arrangements might be made for you to attend this meeting.

Very truly yours,
G. H. Lohneis
Management Representative.

6-15-36

BOARD'S EXHIBIT NO. 36

NOTICE

Joint Committee No. 3, Safety, Health, Plant Sanitation & Welfare Activities

Employee Representatives: Leo W. Cox, George Pappas, A. Luckring, L. Whitmore, H. C. Gonder.

Company Representatives: R. E. Peppard, M. C. Corrigan, Andy Evans, B. F. Houghton, A. J. Blantz.

The organization meeting of Joint Committee No. 3 will be held Monday, June 22, 1936 at 10:00 A. M. in the Industrial Relations Building, Massillon.

Kindly arrange to be present.

Very truly yours,
G. H. Lohneis
Management Representative.

BOARD'S EXHIBIT NO. 37

July 13th-1935

Standing Committee No. 4
Appeals Committee

NOTICE

Mr. Leo Cox, Chairman
Mr. Frank Lerner, Secretary
Mr. R. D. Seward
Mr. N. C. Brown
Mr. J. O. Palmer

This is to advise that the first scheduled meeting of Standing Committee No. 4 will be held Tuesday, July 16, 1935 at 3:00 P M at the Industrial Relations Building, Massillon.

Will you kindly arrange to be present.

Very truly yours,
G. H. Lohneis
Management's Representative.

BOARD'S EXHIBIT NO. 39

GENERAL BODY OF EMPLOYEE REPRESENTATIVES

Minutes of a special meeting of the General Body of Employee Representatives called by Management Saturday November 7, 1936 to announce a general wage increase.

Mr. E. A. Portz, District Manager of the Central Alloy District, Republic Steel Corporation, announced today to the General Body of Employee Representatives that effective November 16th, 1936, wage rates will be increased 5½ cents per hour in the lower wage brackets. Other wage rates will be adjusted upward, with no adjustment less than 5½ cents per hour. Wage increases will affect hourly, tonnage and piece-work rates. Salary in the lower brackets will receive comparable increases.

Motion by Hoffman, seconded by Mazon, that wage increase be accepted. Voted on and carried.

Checking Employee Representatives' Time

Force report made out covering Employee Representatives' time.

Adjournment

Motion by North, seconded by Cox, that meeting adjourn. Voted on and carried.

Adjournment 10:30 A. M.

N. C. Brown
Secretary.

11-7-36

BOARD'S EXHIBIT NO. 40

GENERAL BODY OF EMPLOYEE REPRESENTATIVES, MASSILLON

The regular monthly meeting of the Employees Representatives was held in the Industrial Relations Building Tuesday, September 22, 1936. The meeting was called to order at 9:00 a. m. with N. Linckenhely presiding.

(1) *Roll Call*

N. Linckenhely, Chair.
A. S. Rutherford, V. C.
N. C. Brown, Sec'y.
Henry Gonder
Albert Pond
W. Mazon
Albert North
Geo. Pappas
Paul Hoffman
E. A. Gillis
Leo W. Cox
L. W. Myers
D. A. Burkhart
C. W. Beckler
L. Whitmore
F. J. Lerner
Albert Luckring
H. Jones
R. D. Seward
J. O. Palmer
S. Shilling—Absent

Messrs. Portz and Lohneis present part of the time.

(2) ***Reading of Minutes of Previous Meetings***

Minutes of No. 1, No. 2, No. 3, No. 4, General Body

and special meetings of No. 2 Committees were read.

(3) *Approval of Minutes of Previous Meeting.*

Motion by Palmer, seconded by Seward, that minutes of No. 1 Standing Committee be approved as read. Voted on and carried.

Motion by Hoffman, seconded by Gillis, that minutes of No. 2 Standing Committee be approved as read. Voted on and carried.

Motion by Burkhart, seconded by Whitmore, that minutes of No. 3 Standing Committee be approved as read. Voted on and carried.

Motion by Hoffman, seconded by Rutherford, that minutes of General Body be approved as read. Voted on and carried.

(4) *Communications.*

None.

(5) *Unfinished Business.*

In reply to request for ninety days leave of absence, Mr. Portz stated that each individual request would have to be considered upon its own merits, and that there would be no blanket decision in the affirmative. However, he stated that leave of absence might be granted providing proper arrangements can be made which will be satisfactory to both Management and employee. If leave of absence is granted, continuity of service with the Corporation will not be broken.

In reply to request for general wage increase for employees of Massillon District, Mr. Portz discussed this item in detail and stated it was impossible for Management to grant this request. He also stated that when all conditions warrant, this item will be given consideration.

Motion by Hoffman, seconded by North, that Case M-5-11B be referred to No. 2 Standing Committee for further consideration. Voted on and carried.

(6) *New Business*

Considerable discussion developed in regard to a recent committee meeting as to manner in which several workmen were held for four hours before they were given an opportunity to appear before the committee. Motion made by Burkhart, seconded by Hoffman, that men should be heard immediately when called. Voted on and carried.

Seward presented some proposed change to Relief Association By-Laws. A motion by Burkhart, seconded by Rutherford, that Relief Secretary, Mr. Wonderly, be called before the General Body at next meeting and explain intent of proposed changes. Voted on and carried.

Mr. Portz read questions and answers pertaining to Old Age Pension and Unemployment Insurance as provided for under the Federal Social Security Act. Information will be furnished to Representatives by Mr. Lohneis for further enlightenment.

Complaints were made against conditions prevailing in Billet Shed Grinding Department due to dust. Mr. Portz stated that arrangements were made to take care of grinding dust when equipment was installed. However, this condition will be investigated and corrections made.

Luckring requested telephone in Millwright Shanty, and crane in Blast Furnace Storeroom to facilitate moving of heavy articles. Mr. Portz suggested that he contact Messrs. Komp and Betz.

(7) *General Discussion*

A general discussion of various subjects of interest followed.

(8) *Checking Employee Representatives' Time*

Force report made out covering Employee Representatives' time.

(9) *Adjournment*

Motion by Cox, seconded by Beckler, that meeting adjourn. Voted on and carried—meeting adjourning at 5:00 P. M.

N. C. Brown
Secretary

9-22-36

BOARD'S EXHIBIT NO. 41

(In left-hand margin:) Pay ending Jul 15 1936 Name Leo. W. Cox Man No. 4021

Date	Off Duty Hrs.	On Duty Hrs.
1		
2	3	
3		
4		
5		
6		
7	3	
8	3	
9		
10		
11		
12		
13		
14		
15		8
16		

Date	Off Duty Hrs.	On Duty Hrs.
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
Tot. Rep. Hrs.	9	8
Rate	1.047	1.047
Rep. Pay	9.42	8.38
Reg. Pay		
Total Pay		

Central Alloy District

Statement ..... Date .....

Clock No. A No. 97373

Wages Earned

Deductions

Coke		
Xmas	5.00	
Advance		78.17
Restaurant		
Relief		
Civic Fund	35	
Group Ins.	2.25	
Total Deductions		
Balance Due	85.77	

Please Detach Before Cashing
(On reverse side:)
Man No. ..... Date .....

BOARD'S EXHIBIT NO. 42

(In left-hand margin:) Pay Ending Dec 31 1936
Name Leo W. Cox Man No. 4021

Date	Off Duty Hrs.	On Duty Hrs.
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22	3	8
23		
24		
25		

Date	Off Duty Hrs.	On Duty Hrs.
26	3	
27		
28		
29		
30		
31		
Tot. Rep. Hrs.	6	8
Rate	1.131	1.131
Rep. Pay	6.79	9.05
Reg. Pay		6.79
Total Rep. Pay		15.84

Central Alloy District
Statement of Wages and Pay Roll Deductions
B 38275

Gross Earnings	
(Blank)	
Deductions	
Coke	
Shoes	
Social Club	2.00
Advances	
Civic Fund	.35
Restaurant	3.00
Relief Dues	1.00
Group Ins. Dues	66.53
Total Deductions	
Net Amount	

Detach Statement before Cashing
(On reverse side:)

Man No. ..... Date .....

Central Alloy District
Statement of Wages and Payroll Deductions
B 36771

Gross Earnings

Deductions
Coke
Shoes
Advances
Civic Fund
Restaurant
Relief Dues
Group Ins. Dues
Total Deductions
Net Amount 15.84
(Notation:)
Off Duty 6.79
On Duty 9.05
Detach Statement before Cashing
(On reverse side:)
Man No. ..... Date .....

BOARD'S EXHIBIT NO. 43

Representative's Copy

ER 727 3M Sets 8-34 File Record .....

REPUBLIC STEEL CORPORATION AND SUBSIDIARIES

Employee Representation Plan
Record of Case Presented to Employee Representative

.....

District or Subsidiary Plant Date
Presented by .....
Name of Employee Check Number Occupation
Presented by .....
Name of Group No. Men Involved Department
Statement of Case: .....

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

Employee Representative

Disposition of Case:

Date No Action Affirmative Negative Compromised Withdrawn

. . . . . .

Foreman

. . . . . .

Superintendent

. . . . . .

Management's Representative

. . . . . .

Committee

. . . . . .

Committee

. . . . . .

Committee

. . . . . .

Committee

Final Disposition: . . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

Date . . . . . .

Management's Representative

BOARD'S EXHIBIT NO. 47

PLAN OF EMPLOYEE REPRESENTATION
MASSILLON PLANT

As Amended April 22, 1937

This Plan of Employee Representation has been adopted for the purpose of providing an orderly, effective, and expeditious medium of Collective Bargaining with the Management on all matters pertaining to wages, hours, grievances and working conditions; to expedite a fair adjustment of any difficulties, and to promote a spirit of fair dealing in the mutual interest of Employees and Management.

PLAN OF EMPLOYEE REPRESENTATION

I.

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof.

2. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Committee on Rules, Ways and Means.

3. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had of logical groupings and location.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a

term of one year and shall be eligible for reelection.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancy in the office of an Employee Representative, for which there is no alternate, as described in Paragraph 15 of Section IV hereof, may be filled for the unexpired term, at the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III.

Qualifications of Representatives and Voters

1. Any employee, who has been on the Company's payrolls for a period of at least one year immediately prior to nominations, who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees, who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nomination shall be entitled to vote.

3. Company officials and persons having the right to

hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives.

4. This Plan shall in no way discriminate against any employee because of race, sex, or creed or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV.

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the Month of June. Nominations shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nomination or election, as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished by the Committee on Rules, Ways and Means through Tellers designated by such Committee, a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If, on any one ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employe Representative to be elected.

Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected, shall be declared nominated, and shall be candidates for election.

Elections

9. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

10. The number of candidates for whom the employees in each Department or voting division shall be entitled to

vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

11. Each voter shall deposit his own ballot in a box provided by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

12. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

13. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

14. The Committee on Rules, Ways and Means may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

15. Candidates failing of election shall stand as alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Committee of Employee Representatives.

2. After each annual election, the duly elected representatives shall meet within five (5) days for the purpose

of electing a Chairman, Vice Chairman, Secretary and Treasurer for the General Body and delegates to Central Council, which officers and delegates shall be elected from among the duly elected Employee Representatives.

The General Body of Employee Representatives shall select members as deemed advisable and necessary for the following Committees:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation, and Welfare Activities.

Committee No. 4—Appeals and Advisory Committee.

3. The Appeals and Advisory Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals and Advisory Committee.

4. Each Committee shall be composed of members of, and selected by, the General Body. Each Committee shall elect its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular or special meeting of the General Body of Employee Representatives.

VI.

Committee Meetings

1. Regular meetings of Committees may be held every month.

2. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work

of the Committees, and discussing any matters of general interest.

3. A majority of the General Body of Employee Representatives or of any Committee shall constitute a quorum at any meeting thereof.

4. Special meetings of Committees may be held as occasion may require on approval of the Chairman of the General Body of Employee Representatives.

5. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

6. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into the conference the Representatives of the employees and of the company; also, employees likely to be especially interested in such matters.

7. Any matters may be referred by the Management to any Committee for consideration and report, and any matter may be presented by a Committee to the Management.

8. Committee on Rules, Ways and Means shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees.

VII.

Central Council

The Central Council, representing steel plants, shall be composed of delegates of duly elected Employee Rep-

resentatives to be elected by the General Body, viz:

District or Plant	Delegates
Cleveland	2
Canton	2
Massillon	2
Buffalo	2
South Chicago	2
Warren	2
Youngstown	2
Dilworth-Porter (Pittsburgh)	2
Grand Crossing	1
Moline	1

Officers of the Central Council shall consist of Chairman, Vice-Chairman, Secretary and Treasurer, to be elected by the delegates to the Central Council, such officers to hold office until their successors are elected.

The Central Council may meet semi-annually, preferably during the months of January and July. Special meetings of the Central Council may be called when deemed necessary.

VIII.

Annual District Conference

An Annual District Conference between all of the Employee Representatives and the Management should be held at a time and place determined by the proper committee.

IX.

Procedure for Adjustments

1. Any matter, which in the opinion of any employee, or group of employees, requires adjustment, and which such employee or group of employees has been unable to adjust, either directly with the foreman or through his or

their representative, may be taken up by such employee or group of employees, either in person or through any representative of his or their department in writing.

First—With the Superintendent concerned.

Second—With the Management's Representative.

Third—With the Management, in an endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper committee.

2. Unless satisfactory disposition of any such matter has been effected within fourteen (14) days, any employee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the proper Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The proper Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts for a settlement. Failing satisfactory disposition by proper Committee on such matters shall be referred to General Industrial Relations Department.

Failing satisfactory disposition by the General Industrial Relations Department the President of the Company shall be notified. Failing satisfactory adjustment by the President, the matter shall be referred by the President and a majority of the Employee Representatives on the Appeals and Advisory Committee to a Board of Arbitration to be composed of three members; one member to be selected by the Appeals and Advisory Committee; one member by the Management; and these two members to select a third member satisfactory to both parties. The decision of any

two of the three arbitrators thus chosen shall be final and binding on both parties.

Any adjustments in rates determined by above procedure shall be made effective as of the date the written request was filed with the Department Head. Requests for changes in rates shall be considered closed upon a decision of the proper Committee and the Management unless an appeal is filed in writing by the employee or his representative with the Management's Representative within a period of three (3) days after the decision was rendered.

X.

Amendments

Any method of procedure hereunder, may be amended by a two-thirds vote of the Employee Representatives at any meeting of the General Body of Representatives, provided that each Representative has been notified in writing, at least ten (10) days prior to such meeting, giving the substance of the amendments to be voted upon.

The Chairman of the Central Council shall be notified of all amendments adopted.

BOARD'S EXHIBIT NO. 48

EMPLOYEES' REPRESENTATIVE ASSOCIATION
For Employees of Massillon Plants
Republic Steel Corporation

Date .....

I hereby accept Membership in the Employees' Representative Association, and of my own free will hereby authorize the Employees' Representative Association, its Agents or Representatives, to act for me as a collective

bargaining agency in all matters pertaining to rates of pay, wages, hours of employment or other conditions of employment.

.....

Name

....

Occupation Badge No. Department

.....

Representative

Members Identification

This is to Certify That

.....

has accepted Membership in the Employees' Representative Association for Employees of Massillon Plants, Republic Steel Corporation.

Badge No. ..... Date .....

N. C. BROWN
Secretary

Attest:
N. Linckenhely
Chairman

Dues

Period	Date Paid	Representative

BOARD'S EXHIBIT NO. 49

Taffy:

Report to work Sunday morning (tomorrow) at 7:00 A. if you want your job.

See Sam Christ, also.

Price. Per C. S.

BOARD'S EXHIBIT NO. 50

Sam:

Report to work at the Pits 7-18-37 Sunday morn at 7:00 o'clock if you want your job.

Price
Per C. S.

BOARD'S EXHIBIT NO. 51

Independent Association of Republic Employees
Massillon Steel Plants
Republic Steel Corporation

Date .....

I hereby accept Membership in the Independent Association of Republic Employees, and of my own free will hereby authorize its Agents or Committeemen, to act for me as a collective bargaining agency in all matters pertaining to rates of pay, wages, hours of employment or other conditions of employment.

.....
Name

....
Occupation Badge No. Department

.....
Committeeman

MEMBERS IDENTIFICATION

This is to Certify that

.....

has accepted Membership in the Independent Association of Republic Employees of Massillon Plants, Republic Steel Corporation.

Badge No. ..... Date .....

N. C. BROWN
Secretary

Attest:
N. Linckenhely
Chairman

BOARD'S EXHIBIT NO. 52

MEMBERS IDENTIFICATION

This is to Certify that

Pete Mouyios

has accepted Membership in the Employees' Representative Association for Employees of Massillon Plants, Republic Steel Corporation.

Badge No. 2879 Date 5-3-37

N. C. BROWN
Secretary

Attest:
N. Linckenhely
Chairman

Board's Exhibit No. 53 5504½

Pete Mourgios

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BOARD'S EXHIBIT NO. 54

Martin L. Davey
Governor

John Jaster, Jr.
Director
Frank West
Registrar

State of Ohio
Department of Highways
Bureau of Motor Vehicles
Columbus
May 6, 1937

G. Lookabaugh,
388 Maplewood Avenue,
Struthers, Ohio.

Dear Sir:

The records on file at this bureau show that license number H 763 V for 1937 was issued to Carl W. Parker, 58 W. Marion, Youngstown, Ohio on a 1936 Ford Tudor, motor number 54-70372, serial number .....

Very truly yours,
Bureau of Motor Vehicles
Frank West
Frank West, Registrar
C. Ervin Nofer, Chief Records Division

BMH

BOARD'S EXHIBIT NO. 55

EMPLOYEE REPRESENTATION PLAN

Republic Steel Corporation

Youngstown District

Youngstown, Ohio, 5-21-37

Recommended by .....

I hereby accept membership in the Employee Representation Plan of the Republic Steel Corporation, and of my own free will designate the duly elected representatives of the Republic Steel Corporation Employee Representation Plan to act for me as collective bargaining agency in all matters pertaining to rates of pay, wages, hours of employment, and working conditions.

Check No. 5315
Dept. OH.

TOM VUKOVICH
(Signature)

MEMBERSHIP CARD
M Tom Vukovich
Employee Representation Plan
Republic Steel Corporation
Youngstown District

Check No. 5315 Date 5-21-37
Dept. Transportation

.....
Chairman

BOARD'S EXHIBIT NO. 56

REPUBLIC STEEL CORPORATION
Youngstown District
Plan of Employee Representation
Adopted June 1933
Amended June 1934

Republic Steel Corporation
Youngstown District
Plan of Employee Representation

I

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation, shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative shall be deemed to have vacated his office as such upon his voluntary severance of his relations with the Company or upon his discharge for cause, or upon his appointment to such a regular position as would make him one of the persons described in paragraph 3 of Section III hereof.

3. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III

Qualifications of Representatives and Voters

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in paragraph 3 of section III) on the date fixed for nominations, shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

4. This plan shall in no way discriminate against an employee because of race, sex or creed; or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union, or other organization.

IV

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations pre-

scribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters by anyone in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representatives to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V

Management's Representative

The Company shall appoint a Management's Representative to facilitate close relationship between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2.—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4—Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representatives.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the

Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII

Annual Conference

An Annual Conference between all of the Employee Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX

Procedure for Adjustments

1. Any matter which in the opinion of any employee, or group of employees, requires adjustment, may be taken up with the foreman of the work on which he or they are engaged or with the Representative of his or their department, in writing.

FIRST—With the Superintendent concerned.

SECOND—With the Management's Representative.

THIRD—With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within a period of fourteen (14) days, any employee through his Representative, or the Manage-

ment through the Management's Representative may require such matter to be referred to a proper Committee, by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

All changes in hourly or tonnage rates, fixed or determined by a decision of a Joint Committee, shall be made effective as of the date the written request was filed with the department head. Requests for changes in hourly or tonnage rates shall be considered closed upon a decision of a Joint Committee unless notice of an appeal is filed in writing with the Management's Representative within a period of three (3) days after the decision was rendered.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

3. If the Joint Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the

question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

IX.

Amendments

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employee Representatives and of the Representatives of the Management at an Annual Conference.

2. This Plan shall remain in effect until such time as there is a mutual agreement between the General Body of Employee Representatives and the Management, to place the question of dissolution before the employees at any annual election; a two-thirds vote of the employees, for dissolution, being necessary to terminate the Plan.

BOARD'S EXHIBIT NO. 57

Schedule of Regular Meetings of the Standing and Joint

Committees of Employees Representatives Plan, Youngstown District—Republic Steel Corporation

	1936						1937					
	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	April	May	June
No. Committee	S	J	S	J	S	J	S	J	S	J	S	J
	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
1. Rules, Ways, Etc.	8	5	2	7	4	9	6	3	3	7	5	2
	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
2. Wages, etc.	15	12	9	14	11	16	13	10	10	14	12	9
	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
3. Safety, Welfare, etc.	22	19	16	21	18	23	20	17	17	21	19	16
	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
4. Appeals	29	26	23	28	25	30	27	24	24	28	26	23
	Fri	Mon	Wed	Fri	Mon	Thur	Fri	Fri	Wed	Fri	Fri	Wed
General Body	31	31	30	30	30	31	29	26	31	30	28	30

S—Indicates Standing Committee of Employee Representatives.

J—Indicates Joint Committees.

Standing Committees meet at 3:00 P. M. General Body meets at 1:00 P. M. Joint Committees meet at 2:00 P. M.

Membership of Committees for 1936—1937

No. 1, Rules, Ways and Means; Employee Members—James Kelly, Warren Clever, S. Keenan, Ammeal Wally, Fred Moschella; Company Members—W. H. Warner, A. P. Thompson, C. C. Edwards, L. B. Grindlay, W. I. Manley.

No. 2, Wages, Employment, Schedules, Working Conditions; Lawrence Laney, Ralph Mondora, John Guest, George Van Allen, Thomas Lamb; Company Members—A. D. Bachtel, Chas. Fette, G. G. Walker, L. H. Caldwell, T. H. Wilson.

No. 3, Safety, Health, Sanitation; Employees Members—James Welsh, Lee Moyer, Peter Urick, A. Coughlin,

Jack Meadows; Company Members—G. W. Hackett, F. I. Gaston, I. C. Johnson, R. Stevens, P. S. Speer.

No. 4, Appeals; Employee Members—Mart Murphy, Carl Walsh, Joe Smith, G. J. Hughes, H. C. Cohn; Company Members—Roy Case, W. S. Scott, J. H. Graft, G. W. Putman, B. W. Norton.

General Body Officers for year 1936—1937: Mart Murphy, General Chairman; Carl Walsh, Vice Chairman Gen.; J. L. Smith, General Secretary.

Notations at left of names denotes standing Committee Officers.

Notations at right of names denotes Joint Committee Officers.

BOARD'S EXHIBIT NO. 58

NOMINATED CANDIDATES FOR EMPLOYEE REPRESENTATIVES

At the June 9, 1936, nominations, the Employees whose names appear below were Nominated as Candidates to be voted on for Employees Representatives at the elections to be held June 12, 1936.

Masonary

Department or Voting Division

NOMINATED CANDIDATES

Name	Number of Votes
John Guest ..... No. 7433	115
Joseph Leshensky ..... No. 7632	24
Daniel Kertos ..... No. 7575	3

At Election Vote for 1 Only
Mart Murphy, General Chairman
Carl Walsh, Vice Chairman
James W. Maughn, Secretary
G. J. Hughes
C. M. Amon
Warren Clever

Republic Steel Corporation and Subsidiaries
Employees' Committee on Elections

District or Subsidiary	Plant	t	Date
Youngstown	O.H.		6-10-36

BOARD'S EXHIBIT NO. 59

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

August 17, 1934

MINUTES OF FIRST REGULAR MEETING OF JOINT COMMITTEE NUMBER 2

Meeting called to order at Assembly rooms at 3:00 P. M., Wednesday, August 15, 1934.

Those Present were

J. A. Keeling	Employees	Representative
Edward Sells	"	"
Roy Ague	"	"
Ray Mullaly	"	"
John Guest	"	"
L. H. Caldwell	Company	Representative
W. S. Scott	"	"
S. A. Deesz	"	"
G. W. Putnam	"	"
G. G. Walker	"	"

Chairman Pro. tem., Putnam called the meeting to order and informed the members that their first procedure would be the election of a Chairman and a Secretary to serve for the ensuing year, beginning June 15, 1934.

The Committee was not able to agree upon a choice of officers and adjourned, Sine Die.

R. N. McCoy,
Management's Representative.

cc—H. B. Carpenter
All Employees Representatives
All Company Representatives
R. N. McCoy

BOARD'S EXHIBIT NO 60

Chairman & Members,
Joint Committee No. 2

Present to you for hearing and decision the following case.

Case No. 1—Representative John Guest. Filed Mar. 20, 1936.
Class of Jobs—Clark Tractor Drivers, Masonry Dept.
Number of Jobs—Six (6).

Request by Representative:

"These men request that their present rate of $.55 per hour be raised to $.62 per hour, the same as paid truck drivers of the Masonry Department of the Yo. Sheet & Tube Co. The Yo. Sheet & Tube furnishes a helper with each truck and our men take care of both of these jobs and feel they are entitled to this adjustment."

Comparative Valley Rates:

Republic Steel—$.55 per hour, no tonnage. Earnings $.55

Yo. Sheet & Tube—.60 per hour, no tonnage. Earnings .60
Carnegie Steel—No such jobs.

Wish to point out to this Committee that there is no prevailing rate on these jobs in the Valley and we are therefore not bound by any commitments in the case.

It cannot be argued that we should increase our rates because a competitor happens to be paying a higher price for similar service. Wages paid are an incident to the production of steel and high costs are a deterrent to our business. We ask that the Committee deny the request and dismiss the case.

R. N. McCoy

Decision:

	Vote	
Motion the present rate be returned	5 Yes	5 No
Motion rate be raised to 60c per hr.	5 Yes	5 No

BOARD'S EXHIBIT NO. 61

Representative's Copy
ER 727 3M Sets 8-34 File Record.....

REPUBLIC STEEL CORPORATION AND SUBSIDIARIES

Employee Representation Plan

Record of Case Presented to Employee Representative

.....

District or Subsidiary Plant Date
Presented by .....
Name of Employee Check Number Occupation
Presented by .....
Name of Group No. Men Involved Department
Statement of Case:.....
.....

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

. . . . . .

Employee Representative

Disposition of Case:

Date No Action Affirmative Negative Compromised Withdrawn

. . . . . .

Foreman

. . . . . .

Superintendent

. . . . . .

Management's Representative

. . . . . .

Committee

. . . . . .

Committee

. . . . . .

Committee

. . . . . .

Committee

Final Disposition: . . . . . .

. . . . . .

. . . . . .

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. . . . . .

. . . . . .

Date . . . . . .

Management's Representative

[NOTE: The remaining 3 sheets of this form are identical to the sheet printed above and are as fol-

lows: Superintendent's forwarding copy (white), Superintendent's file copy (yellow), and Management's Representative's copy (pink).]

BOARD'S EXHIBIT NO. 62

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF REGULAR MEETING OF GENERAL BODY—FEB. 25, 1937

Meeting called to order at 1:00 P. M. by Chairman Murphy, with all members present.

Minutes of previous meeting approved as read.

Committee Reports

Committee No. 1 No Report.

Committee No. 2 Minutes of this committee not accepted as read. Secretary of No. 2 Committee reported they were not the minutes presented by him. Has been instructed to submit a re-written copy of the minutes and to state the actual verdict of the cases, such as a tie vote in all cases heard by No. 2 Joint Committee.

Committee No. 3 Requested that the time extension for employees who have been off through sickness be extended from one (1) week to fifteen (15) days. This being denied in committee, a unanimous vote of the General Body requested that the time be extended from one (1) week to thirty (30) days.

Committee No. 4 Reported four (4) cases heard. Three (3) of the cases resulted in a 5 to 5 vote, and a 6 to 4 vote

on the other case. General Body goes on record as supporting Mr. Laney in presenting these cases to the President of the Company.

Unfinished Business

Item 200. Management reported that as soon as a vacation plan is set up it would be announced to the General Body.

Item 208. Committee reported that of the cases presented to Mr. Elliott, three (3) cases were settled satisfactorily and one case rejected.

Item 210. In regards to moving pay days that fall on Saturday, to Friday, the Management reported they would endeavor to do this.

Item 213. In regard to paying of salaried employees twice monthly, the Management reports that if other mills in this district do so, this company will follow suit.

Item 217. Request for an entrance tunnel or foot bridge from Poland Avenue opposite the roadway between the Butt & Lap Tube Mill and Electric Weld for men walking to the Tube Mills, as it is unsafe for men walking along the roadway to the Electric Weld Mills. When the automobile traffic is heavy at starting and quitting time the road is not wide enough to handle automobile and pedestrian traffic.

Item 221. Reported that time card system at Bessemer Plants will be changed in the near future.

New Business

Item 222. Chairman Murphy reported that several cases presented by him to the Management for adjustment (case numbers 66-68-69-71) were asked to be presented to a committee for a hearing. This was not done. It was re-

ported that these cases were to receive consideration and probable settlement from Department Superintendent. No effort has been made by the Superintendents concerned to settle these cases. General Body objects to this method and asks that a special meeting of Committee be called to hear these cases.

Item 223. General Body goes on record as adopting the resolution presented by John Guest. The resolution is as follows:

At a recent meeting of this Body Mr. Elliott, District Manager, pointed out the advantages to be gained through the Representative Plan, and that it was up to each of us to keep this Plan in operation, which could be easily accomplished if each Representative went among his constituents and pointed out the merits of the plan over the C. I. O. or any other outside organization. The members of this Body seemed to be in full accordance with the idea of Mr. Elliott's at the time, but since the general wage increase of November 16, 1936, we find that we dropped farther below the prevailing wage rate paid by other mills in the District for similar work performed, than we were prior to that date. Several departments have tried to have an adjustment on their wages. The reports of No. 2 and 4 Committees show that no decision could be reached on any of the cases, which in plain English meant their requests were denied. No statement from the Management as to why they could not meet the comparable rate of this district. This Body feels it would be an insult to their intelligence to ask them to go among the men in favor of a plan that has failed to get for them what the employees of the other mills already enjoy. Therefore, this Body asks that the Chairman appoint a committee to call on Mr. Elliott and ask for a general wage adjustment comparable to those paid by Carnegie-Illinois, Ohio Works, for similar

work. In case of no comparable jobs at the Carnegie-Illinois—as at the Coke Works and Tube Mills—a rate adjustment comparable to those paid by Youngstown Sheet & Tube Company for similar work performed. This Body also asks that in case no satisfactory agreement is reached within two weeks, said committee is to continue the case and carry same to the Cleveland office for further consideration. The Committee appointed is as follows: Messrs. Chapman, Hughes, Cohen, Guest and Murphy.

Item 224. Request the Company to furnish gasoline to employees using their own cars during working hours. It is reported that employees do work in different plants, from Bessemer to Coke Works and Open Hearth, and use their own car for transportation.

Item 225. Request that the Open Hearth Restaurant be enlarged to accomodate crowds.

Item 226. Request that the Foreman in all departments post Bonus Earnings. It is reported that some employees never see their bonus earnings.

Item 227. Request parking facilities at Market Street as it is inconveniencing the employees, as some of the men are called out to work at any and all hours of the day or night. Suggest that the South Avenue Entrance be taken into consideration as this would eliminate quite a lot of parking at Market Street.

Item 228. Request that an automobile pass be furnished to all representatives to enter plant at all times on representative duty.

Item 229. The General Body objects to methods used by some Department Superintendents and Foremen, in calling in the employees who have asked the representative to act for them. General Body requests that all Superinten-

dents and Foremen acting in official capacity be restrained from calling in an employee who raises a question, unless with the consent and in the presence of the representative who is representing him.

Item 230. General Body goes on record in asking for a straight 40 hours per week, with no exemptions.

Item 231. Request action and would like to know the status of the proposed Boiler Shop Wash and Locker Room.

Meeting adjourned at 5:30 P. M.

Mart Murphy, General Chairman
J. L. Smith, General Secretary

CC: All Employee Representatives
All Management Representatives
Mr. C. H. Elliott
Mr. R. N. McCoy

BOARD'S EXHIBIT NO. 63

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF SPECIAL MEETING OF GENERAL BODY—FEB. 26. 1937

Meeting called to order at 2:00 P. M. by Chairman Mart Murphy with all members present except Messrs. Moschella, Valley, Owens, Leyshon and Vojack.

Mr. Elliott, District Manager, attended the meeting. He announced that the purpose of the meeting was to discuss the wage situation.

Members of the General Body expressed the dissatis-

faction of the men over the last wage increase, as some of our jobs similar to those in other plants were out of line previous to the November increase in wages and since the wage increase of November have been farther out of line than ever.

The General Body asked Mr. Elliott to go along and adjust rates to equal those given to our competitor's employees in the valley district.

Meeting adjourned at 5:00 P. M.

Mart Murphy, General Chairman
J. L. Smith, General Secretary

CC: All Employee Representatives
All Management Representatives
Mr. C. H. Elliott
Mr. J. A. Voss

BOARD'S EXHIBIT NO. 64

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF SPECIAL MEETING OF GENERAL BODY—MAR. 5, 1937

Chairman Murphy opened the meeting at 2:00 P. M. with all members present except Messrs. Moschella, Valley and Vojack.

Management made an announcement that all Saturday paydays would be advanced to Friday. Also announced that they were not in favor of paying salaried workers twice monthly.

Mr. Elliott attended the meeting and announced that the Corporation would endeavor to establish a standard rate for comparable jobs with other plants in the Valley.

Mr. Elliott also read the following statement in regard to the Company's policy toward collective bargaining:—

"Republic Steel Corporation today issued the following statement, defining the company's position with respect to collective bargaining:

The policy of this company has been, and is now, that it will meet with any person or persons, or organization, and will bargain with them for whomsoever they represent. If any union or organization claiming to represent any of our employees asks for a conference with our company, we will meet and bargain with them for whomsoever they represent. This is in conformity with our general policy as stated above. Likewise, we will continue to meet and bargain with the Employee Representatives for the employees whom they represent. We repeat the statement which we made to you last July. Republic stands for the open shop principle. No employee has to join any organization to get or hold a job."

Mr. Elliott extended an invitation to the General Body to send two (2) delegates to Cleveland to confer with the Management in regard to wage raises. Mr. Elliott announced that the basic rate for labor would be 62½c per hour, an increase of 10c per hour. All other rates to be adjusted to the Valley level.

Mr. Elliott also spoke on safety, asking the men to cooperate in every way possible.

Mr. Elliott also said there would be two (2) representatives from the Massillon, Canton, Warren, Buffalo, Chicago and Pittsburgh districts at the meeting to confer with

the Management on the proposed increase in wages. The General Body accepted the invitation of Mr. Elliott, to send two (2) men to Cleveland. By a popular vote of the General Body, Chairman Mart Murphy and John Guest were elected.

The General Body instructed Mr. Murphy and Mr. Guest to present to the Management, a flat 15% increase in wages for all salary and hourly workers (excepting labor, which has already been granted a raise); also for a straight 40 hour per week and to eliminate Saturday and Sunday night work, and to discuss the Vacation Plan, asking for a weeks vacation with pay for all employees with one year of service and an additional day for each year of service to a maximum of two weeks with pay.

Meeting adjourned at 4:40 P. M.

Mart Murphy, General Chairman
J. L. Smith, General Secretary

CC: All Employee Representatives
All Management Representatives
Mr. C. H. Elliott
Mr. R. N. McCoy

BOARD'S EXHIBIT NO. 65

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF SPECIAL MEETING OF GENERAL BODY—MARCH 15, 1937

Meeting called to order at 1:00 P. M. by Chairman Murphy, with all members present except Messrs, Campbell and Vojack.

Minutes of the General Council meeting held in Cleveland, March 8th and 9th, 1937 accepted as read.

The resignation of Ed Sturn was read and accepted. George Cabin, the Alternate elect, replaces him.

A discussion by the General Body was held in regard to the thoughts of the employees relative to the Representation Plan, and how to improve it. The General Body suggests and recommends the following:

1. A change in the Plan whereby it would not be dominated by the Management.

2. A small fee of 25c of monthly dues and the right to use the check off system to make the Plan self supporting.

3. The elimination of Nos. 2 and 4 Joint Committees, as has been proven nothing but tie votes are ever counted in those meetings.

4. The right to hold meetings with the men they represent.

5. The adjusting of wage rates to a level of our competitor in the valley.

6. When agreements are made, that they be made in writing and not orally.

7. The right to recall Representatives.

8. That when a case is presented to Management, to speed it up and not carry it over a lengthy period of time.

9. Requested that an eight (8) hour working day be put in effect at the Tube Works, as Threading Floor and Furnace Floors work 7 or 7½ hours per day.

10. The right of the Employee Representatives to hold a meeting and to have the employees whom they represent

cast a secret ballot as to their choice of the Plan—whether or not they wish to continue, or to have the check off system of a monthly fee.

Mart Murphy, General Chairman
J. L. Smith, General Secretary

CC: All Employee Representatives
All Management Representatives
Mr. C. H. Elliott
Mr. R. N. McCoy

BOARD'S EXHIBIT NO. 66

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF REGULAR MEETING OF GENERAL BODY—MARCH 25, 1937

Present

John Anderson, Ed. Bogan, H. K. Butler, Geo. Cabin, Geo. Campbell, Dave Chapman, Harry Cohn, Harry Guiles, G. J. Hughes, Jack Jones, A. J. Keeling, J. A. Keenan, Thos. Lamb, Lawrence Laney, Albert Leyshon, Ralph Mondora, Mart Murphy, Dan Petite, J. L. Smith, Joseph Troll, Peter Urick, Ameal Valley, James Welsh.

Absent

Warren Clever, John Guest, James Kelly, Ferd Moschella, Robert Owens, Matt Price, Geo. VanAllen, Andy Vojack.

Meeting called to order at 1:00 o'clock P. M. by Chairman Murphy.

Minutes of previous General Body and Special Meetings approved as read.

Committee Reports

Committee No. 1—No report.
Committee No. 2—No report.
Committee No. 3—No report.
Committee No. 4—No report.

Unfinished Business

As previously requested for the Management to change the set-up of time extension for employees who have been off for one week or more through sickness and have to pass a physical examination, be extended to thirty (30) days. The Management reports they will not do so.

Item 217—The Management reported that all due consideration will be given to an entrance tunnel or overhead foot bridge from Poland Avenue between E. W. and Old Tube Mills. The Management reports that the Engineering Department will survey the project. The Claim Department will investigate land rights.

Item 221—The Management reported that the new time cards and clocks will be installed at the Bessemer as soon as they are received. Material has been ordered.

Item 222—Concerning cases 66-68-69-71 presented by Mart Murphy that were not presented to Committee by the Management at a regular or special meeting of No. 2 Committee. No effort has been made by the Management to settle these cases.

Item 224—The Management reported they will not furnish gasoline to Employees using their own car between plants.

Item 225—In regard to the request for enlarging the O. H. restaurant, reported that if a proper location and one that is large enough for a building 75′ x 30′, Factory Stores, Inc. will grant request and build a new building.

Item 228—Management reported that representatives will not be stopped from coming into the plant on representative duty and will not need a pass.

Chairman Murphy and John Guest attended the meeting in Cleveland March 18th, and the Management announced the policy concerning the following items, from Minutes of Special Meeting of General Body, March 15th.

Item 1 & 2—Management will not grant permission to use check-off system for dues.

Item 3—Possibility of eliminating Committees No. 2 and 4.

Item 4—Permission will be given to representatives to hold meeting with men whom they represent.

Item 5—Adjusting wage rates to Valley level. Management reports they are doing so.

Item 6—In regards to contracts and agreements that they be put in writing. Management reports that it will not under any circumstances sign or enter into any written agreement with any group whatsoever.

Item 7—Management will grant the right to recall representatives.

Item 8—Management will endeavor to speed up cases as much as possible.

Item 9—Request for 8 hour day in Tube Mills. Report of Supt. Fette effective March 29: Threading Floor will go on 8 hours, Furnace Floor and Socket Shop 7½ hours, and Galvanize will go on 8 hours.

General Business.

Chairman Murphy announced that the Management will grant time and one-half for all over time and over

40 hours per week, effective week of March 15, although raise to become effective March 16th.

New Business.

Item 232—General Body request that when Management makes a promise they endeavor to fulfill them, it was previously reported that they would endeavor to pay salary men twice monthly. The Management reported if other plants in the Valley pay salary men twice monthly they would do so. It is reported to the General Body that other plants are doing so. Why not the Republic?

Item 233—No action on South Avenue bridge as yet. This was formerly promised to the General Body. Request definite action.

Item 234—Request that foot paths in Bessemer and B. B. yards be fixed up. Reported that they are hazardous for the men using them.

Item 235—Request that parking lot at Stop 5 be fixed up as it is full of chuck holes and mud puddles. Request they be filled in with ashes or slag.

Item 236—Request for hard surface roadway at Tube Mill between Threading Floor and Electric Shop as it is in an unsafe condition (full of chuck holes) for the men driving the small electric trucks.

Item 237—Request for a hard surface road between Old Tube and Electric Weld Tube Mills leading up to Tarpot Hill.

Plans are being made for the Annual Conference of the Management and Representatives to be held at the Tod House April 5th, at 12:00 o'clock Noon.

Mart Murphy, General Chairman
J. L. Smith, General Secretary

cc—All Employee Representatives
All Management Representatives
Mr. C. H. Elliott
Mr. R. N. McCoy

BOARD'S EXHIBIT NO. 67

REPUBLIC STEEL CORPORATION
YOUNGSTOWN DISTRICT

MINUTES OF SPECIAL MEETING OF GENERAL BODY—APRIL 19, 1937

Meeting called to order at 9:00 A. M. by Chairman Murphy, with all members present except Peter Urick.

Mr. McCoy announced that under the Wagner Labor Bill he would not be permitted to carry our time (as he has in the past) for attending meetings and explained that men off duty would not be compensated, but added that men attending meetings during their regular working hours would be carried on their regular jobs. Mr. McCoy also announced that the General Body would not receive any financial assistance in any manner from the Corporation. Mr. McCoy thanked the General Body for their assistance and cooperation given him in the settlement of many cases. The General Body, through Chairman Murphy, expressed their feelings toward him and thanked him.

Chairman Murphy announced that the purpose of the meeting was to find out if the General Body of Representatives were going to continue to function, and told them if it was it would have to be self supporting. After a discussion by the General Body, a motion was made that a fee of $.25 (twenty-five cents) per month be assessed to all members. The motion was carried. The General Body held

election for the office of Treasurer and by a majority vote A. J. Keeling was elected Treasurer.

A meeting hall will be furnished at the old Market Street Time Office, a room suitable for about 300 seating capacity. Each department will have an opportunity to hold meeting with their Representative to obtain membership in the Employees Representative Plan.

In the Revision of the By-Laws and Rules of the Representative Plan, the committees shall consist of seven men, an additional two. The Chairman was authorized to appoint the additional members. The following were appointed.

No. 1 Committee—Ed Bogan, J. Anderson; No 2 Committee—Dave Chapman, Jack Jones; No. 3 Committee—A. J. Keeling, Geo. Cabin, Bob Owens (to replace A. Coughlin, resigned); No. 4 Committee—H. K. Butler, Geo. Campbell.

By a motion of the General Body, request that the time for General Body Meetings be advanced to 10:00 A. M., instead of 1:00 P. M.

It is reported that wage rates in Tube Mills were not adjusted to valley level.

Meeting adjourned at 3:00 P. M.

Mart Murphy, General Chairman
Joseph L. Smith, General Secretary

cc—All Employee Rep.
All Management Rep.
Mr. C. H. Elliott
Mr. R. N. McCoy

BOARD'S EXHIBIT NO. 68

REPUBLIC STEEL CORPORATION
Cleveland, Ohio

MEETING OF THE EMPLOYEE REPRESENTATIVES OF CENTRAL COUNCIL—NORTHERN STEEL PLANTS

Present

H. E. Grimm, Cleveland; Mr. Douglass, Cleveland; Cecil Moore, Chicago; B. H. Morten, Moline; John Griest, Youngstown; Mart Murphy, Youngstown; Mr. Linckenhely, Massillon; Mr. McBrown, Massillon; Mr. Geltz, Canton; Jos. Stroz, Pittsburgh; Mr. Mellor, Pittsburgh; Mr. McDonald, Moline; Mr. Paulin, G. X. Chicago; E. J. Mulligan, Warren; F. W. Richards, Warren, T. P. Reville, Buffalo, E. L. O'Connell, Buffalo; Mr. Cox, Canton. Visitors: Mr. White, Mr. Richards, Mr. Voss, Mr. Sandmaier.

After a conference with the Executives, the Employee Representatives proceeded with the nomination and election of temporary officers.

Mr. Grimm of Cleveland and Mr. Linckenhely of Massillon were nominated. The vote resulted in a tie and Mr. Linckenhely conceded to Mr. Grimm as Temporary Chairman.

Edward O'Connell was designated as Temporary Secretary.

New Business

The Chairman then called the meeting to order to form a procedure in connection with our conference with the Corporation Executives.

The question of the pending increase in wages was then considered. The opinion of all Representatives at this meeting was in order. After a lengthy discussion, in which it was apparent that every angle had been covered, the following concensus developed. Resolved: "The Corporation grant to all hourly, tonnage, piece rate, and salaried employees a 10 cent an hour increase, with time and a half for all over 40 hours. The present 48 hour schedule to be retained and time and a half for all overtime in any one 8 hour day be paid."

The question of equal percentage increase to all brackets of the Industry was discussed and approval to submit along with the above resolution. After considerable debate on the Vacation Plan, the following resolution was offered to be presented to the Management:

> "1 year employee—7 days vacation with pay. 2 year employees and over—14 days vacation with pay. The daily rate of pay for vacations to be computed on the basis of average daily rate of pay of job on which the employee is regularly employed."

Joint Session

The Representatives then informed the Management that the aforementioned proposals were ready for Joint Discussion.

Mr. White, Vice President in Charge of Operations, with nine District Managers and nine Management's Representatives, was present when the Secretary presented these proposals. Mr. White said that he would take them under advisement in a Management's Session and return with a decision on acceptance or compromise. In a few hours, Mr. White and the District Executives returned to advise on the outcome of their discussions on the increase and vacation plan.

The proposition on the increase was:

10 cents an hour increase to be granted all hourly, tonnage, skilled, semi-skilled, piece, and salaried workers throughout the Corporation.

Time and a half for all time over 8 hours in any one day and for all time over 40 hours in one week.

No change will be made in working practice at this time.

Mr. White said that the only things that would force 40 hours in our Corporation would be legislation or slackening of business. He, also, said that, should we be forced by legislation to 40 hours, the Management would confer with the Central Council of Employees Representatives at such time.

The proposition on vacations was:

For all wage roll employees in the manufacturing plants for the year, 1937. All eligible employees, who are on the payroll as of May 1, 1937 and who shall have established prior to such time a record of three years or more of continuous service, shall be entitled to vacation pay during the current year, or at their option additional pay in lieu of vacation.

Vacation Credits

3 years' service to May 1, 1937	3 days
4 years' service to May 1, 1937	4 days
5 years' service and over to May 1, 1937	6 days

Daily pay will be computed on the average hourly earnings for the Month of April 1937 times 8.

The Representatives went into secret session to consider these propositions and after a few hours of deliberation called the Joint Session for further discussion. The Rep-

resentatives and Management proceeded to clear up many phases of the wage increase proposition and the possibility of securing some added concessions.

Mr. White advised the Representatives that in connection with the Management's schedule of new wage increase proposition all messengers and smaller paid employees would be liberally dealt with on a basis above the proposed minimum.

At this point, it was readily moved and seconded that this Central Council of Employee Representatives accept on behalf of all their constituents the pay increase finally decided on through the secret and joint conferences held on the basis of collective bargaining.

The Vacation Plan proposition, as hereinbefore mentioned by Mr. White, was rejected.

The Representatives told Mr. White that a new and more liberal plan should be given some consideration by the Management. This plan would carry more vacation time in the higher service brackets but was not to effect any change in the lower brackets. This suggestion was predicated on the stand by the Management that any change in their proposition would probably reduce the time allowed the lower brackets. Mr. White advised the Representatives that the Management would again consider a vacation plan and would submit it before adjournment. Just before 6 P. M. on Tuesday, a Joint Session was called to take up the Vacation Plan.

Mr. White submitted the following:

Vacation Plan for Wage Roll Employees in Manufacturing Plants for the Year 1937

All eligible employees, who are on the payroll as of May 1, 1937 and who shall have established prior to such

time a record of three years or more of continuous service, shall be entitled to vacation pay during the current year, or at their option, additional pay in lieu of vacation.

Vacation Credits

3 year's service and less than 5 years' service to May 1, 1937—3 days; 5 years' service and less than 10 years' service to May 1, 1937—6 days; 10 years' service and less than 15 years' service to May 1, 1937—8 days; 15 years' service and over to May 1, 1937—10 days.

Daily pay will be computed on the average hourly earnings for the Month of April 1937 times 8.

Due to lack of time only, one major proposition still remains in the category of unfinished business. The Blue Book or Plan, as now in force, will be given consideration at some later date.

Meeting adjourned at 7 P. M., March 9, 1937.

H. E. Grimm, Temporary Chairman
E. L. O'Connell, Temporary Secretary

BOARD'S EXHIBIT NO. 69

REPUBLIC STEEL CORPORATION
CLEVELAND, OHIO

SPECIAL MEETING MARCH 18, 1937

Present

Joint Committee of the Representatives of the Northern Steel Plants and the Subsidiaries. Visitors: Mr. White, Mr. Richards, Mr. Voss, Mr. Sandmaier.

Meeting called to order at 1:30 P. M.

Mr. White addressed the conference and discussed Corporation labor relations with the Representatives.

Mr. Voss, Director of Industrial Relations, explained all about Collective Bargaining with Representatives of any group within the employ of our Corporation.

The Representatives of the Joint Session conferred secretly on all questions concerning our Plan of Representation and outside unionism.

The opinion of the Representatives was that the same tactics used by outside organizations should be used by all the advocates of our Representation Plan. It was suggested that the Representatives use a pamphlet system to explain the advantages of our revised Plan and secure more publicity in connection therewith.

The Representatives showed conclusively that all the employees of our Corporation would benefit more by the retention of our Plan than by aligning with an outside organization. Outside organization creates conditions detrimental to the best interests of both the employees and the Corporation. Recent developments in the activities of outside groups have produced a skepticism, characteristic of men who have always enjoyed the best of relations with their employer. Sit-down strikes and the like have only brought added hardships to all concerned. This, the Representatives believe, should be stopped and a more intelligent method, such as our Representation Plan, be invoked in all disputes.

The Joint Session showed the efforts of our different units in combating the encroachment of outside groups. The Buffalo and Cleveland Units have a Security League. The League has members avowed to support and help sustain all the activities in connection with the Republic Steel Representation Plan.

At this point, a motion was made and seconded that all the Representatives of both the Steel and Subsidiaries back the Management in opposition to all outside labor organizations. This motion was carried unanimously.

Another motion was made and seconded that each General Body within the Corporation develop methods best suited to their locality in fighting any coercion or intimidation in connection with labor organization. It was, also, suggested that each unit (Steel or Subsidiary) offer to each other the procedure or systems used in their localities to effect any efforts of outside groups.

Before adjournment, an exchange of thanks between Management and Representatives developed. A very fine spirit of co-operation was manifested by both to carry on under our present setup.

Meeting adjourned at 6:15 P. M.

H. E. Grimm, Temporary Chairman
E. L. O'Connell, Temporary Secretary

BOARD'S EXHIBIT NO. 70

REPUBLIC STEEL CORPORATION

PROPOSED REVISION OF THE PLAN OF EMPLOYEE REPRESENTATION

Adopted—1933
Amended—1934—1935

Revision based on Buffalo District (Blue Book) with inserts culled from other various Districts

LETTER OF TRANSMITTAL

Buffalo District

To the Vice President in charge of Operations
and
the Director of Industrial Relations
Cleveland, Ohio

Gentlemen:

By direction of the Central Council of Employee Representatives, at Cleveland Conference, the Temporary Secretary submits his report on the Proposed Revision of Plan relating to Collective Bargaining.

E. L. O'Connell

This plan of employee representation has been adopted by the employees of the Republic Steel Corp. for the purpose of providing an orderly, effective and expeditious medium of collective bargaining with management on all matters pertaining to wages, hours, and working conditions, to make possible a sane adjustment of any difficulties, to insure justice, maintain tranquility, and promote a spirit of fair dealing in the mutual interest of employees and management.

PLAN OF EMPLOYEE REPRESENTATION

I

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred

(200) employees, or major fraction thereof, based on the average number of employees on the payroll preceding the nomination, with a minimum of three (3) Representatives to one (1) District.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation shall be made in accordance with the recommendation of the Committee on Rules, Ways and Means.

II

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for reelection.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative, for which there is no alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on

Rules, Ways and Means, by special election conducted in the same way as the regular annual election.

III

Qualifications of Representatives and Voters

1. Any employee, who has been on the Company's payrolls for a period of at least one year immediately prior to nominations, who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees, who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nomination shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives.

4. This plan shall in no way discriminate against any employee because of race, sex or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the Month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nomination or election, as the case may be, that otherwise would be held on

such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways, and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If, on any one ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be elected.

9. Those employees who received the largest number

of votes, in any department or voting division, equal to three times the number of Representatives to be elected, shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (x) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot will be void.

12. Each voter shall deposit his own ballot in a box provided by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules Ways and Means.

15. The Committee on Rules, Ways and Means may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V.

Management's Representatives

The Company shall appoint a Management's Representative to facilitate close relationships between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Committees, but shall not have any vote thereat.

VI.

Committees

1. Whenever the word "Committee" is used throughout this instrument, it shall mean a Committee of Employee Representatives.

2. After each annual election, the duly elected Representatives shall meet for the purpose of electing a Chair-

man, Vice Chairman, Secretary and two Delegates for general Committee for the General Body of Employee Representatives, which officers must be elected from among the elected representatives.

The General Body of Employee Representatives shall, also, select members for the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules, and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation, and Welfare Activities.

Committee No. 4—Appeals Committee.

Committee No. 5—Employees Central Advisory Council.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees herein provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee and advisory.

4. Each Committee shall be composed of members selected by the general body and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

VII.

Committee Meetings

1. Regular meetings of Committees shall be held every month.

2. The General Body of Employee Representatives may meet monthly for the purpose of reviewing the work of the Committees, and discussing any matters of general interest.

3. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

4. Special meetings of Committees may be held as occasion may require on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

5. For time necessarily spent, through actual attendance at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment not less than an amount commensurate with their average hourly earnings.

6. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

7. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into the conference the Representatives of the employees and of the company likely to be especially interested in such matters.

8. Any matters may be referred by the Management through Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

9. Committee on Rules, Ways and Means shall arnge a suitable place for meetings of the General Body Employee Representatives and of the several Committes and the Company shall defray such expenses as are ecessarily incident to the discharge of duties herein set rth, when approved by a majority of said Committees.

VIII.

Annual Conference

An Annual Conference between all of the Employee epresentatives and the Management shall be held at a me and place determined by a proper Committee, which all regulate the procedure at such Conference.

IX.

Procedure for Adjustments

1. Any matter, which in the opinion of any employee, group of employees, requires adjustment, and which ch employee or group of employees has been unable to djust, either directly with the foreman or through his or eir representative, may be taken up by such employee or roup of employees, either in person or through any repsentative of his or their department in writing.

First

With the Superintendent concerned.

Second

With the Management's Representative.

Third

With the Management, who shall endeavor to effect a ttlement, or who may with the approval of all the parties fer the matter to proper committee.

2. Unless satisfactory disposition of any such matr has been effected within fourteen (14) days, any em-

ployee through his Representative, or the Management through the Management's Representative, may require such matter to be referred to the proper Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The proper Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts for a settlement. Failing satisfactory disposition by proper Committee such matters shall be referred to Central Council.

Any adjustments in hourly or tonnage rates determined by above procedure shall be made effective as of the date the written request was filed with the department head requests for changes in hourly or tonage rate shall be considered closed on a decision of the proper Com. unless an appeal is filed in writing with the Man Rep. within a period of 3 days after the decision is rendered.

X.

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representative or Employee assisting him shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior

Officers, to the industrial relations, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the State Department of Labor or the Secretary of Labor of the United States. The Company shall furnish the said State Department of Labor or the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said State Department of Labor or the said Secretary of Labor shall be final and binding.

Amendments

Any method of procedure hereunder, with the exceptions of Paragraph 5 of Section VII, may be amended at any time by a two-thirds vote of the Employee Representatives, the Chairman of Central Council shall be notified of all amendments be adopted.

BOARD'S EXHIBIT NO. 71

REPUBLIC
(Cover Picture)

A Bulletin of Republic Steel Corporation and Subsidiaries
Published in Cleveland, Ohio . . . . . April 1936

TO THE EMPLOYEE
REPRESENTATIVES

(Picture of C. M. White on left hand side of page)

Greetings and congratulations to you who have so ably handled the trust and responsibility placed in your hands by our employees.

The fact that so many of you are serving your second and third terms as Representatives is in itself a remarkable tribute both to you and to the success of the Plan under which so many matters have been satisfactorily adjusted.

I want to assure you that the management of this company is giving your problems and the problems of all our employees an equal degree of care and consideration. We have common objectives: first, safe and continuous work for our employees; and second, the prompt and fair handling of your problems and the problems of all our employees with care and consideration.

C. M. White
Vice President in Charge
of Operations

(Enclosed in box at bottom of page)

CASES HANDLED UNDER THE
EMPLOYEE REPRESENTATION PLAN

From January 1, 1935 to December 31, 1935, Inclusive

Subject	Total Cases Handled
Employment and Working Conditions	335
Wages, Piece Work, Bonus, Tonnage Schedules	300
Safety and Welfare	434
Practice, Methods and Economy	146
Health and Works Sanitation	180
Employee Transportation	51
Housing and Living Conditions	25
Education and Publications	14
Athletics and Recreation	90
Rules, Ways and Means	68
Total	1643

Disposition of Cases Handled

Settled in Favor of Employees	1275
Settled in the Negative	229
Withdrawn by Employees	57
Compromised	53
Pending Settlement	29
Total	1643

WHY THE EMPLOYEE REPRESENTATION PLAN REALLY WORKS

The Employee Representation Plan has been in operation in Republic for almost three years.

The accomplishments during that time prove conclusively that the plan is a practical and effective method of collective bargaining.

If the plan had not been workable—if it had not given employees real representation—it would have fallen by the wayside long ago.

Cases Handled During 1935

Employee Representatives of Republic, during the year 1935, presented 1,643 cases for discussion and settlement through the Employee Representation Plan.

Of this number 1,215 cases, or 74% of the total, dealt with employment and working conditions, wages, piece work, bonus and tonnage schedules, safety and welfare and practice, methods and economy. We wish to emphasize this point. There was no dodging of the issues. Matters which had to do with wages, hours and working conditions, the really vital questions both to employees and to the company, were brought out into the open, discussed and settled.

The rest of the cases had to do with such questions as sanitation, transportation, living conditions, education, recreation, and the like.

The results speak for themselves.

Of the 1,643 cases handled under the plan during the year, 1,275 or 78% were settled in favor of the employees; 229 cases or 14% were settled in the negative; 57 or 3% were withdrawn by employees; 53 or approximately 3% were compromised; and 29 or 2% remained pending settlement at the close of the year.

Looking back over the entire record since the plan was first begun, it is significant that ever since the inauguration of the plan over 74% of all the cases raised have been settled in favor of the employees.

It is equally significant that ever since the plan was begun, employee representatives have made many suggestions which were of benefit, not only to the men, but to the company as well. A large number of these suggestions have resulted in better workmanship and more efficient operation.

It is not just by accident that the Employee Representation Plan works so well. Certain points stand out as the main reasons which make the plan successful. They are as follows:

1. The Plan Brings Facts Out into the Open

Employee Representatives are constantly asking the management questions; management must answer these questions. There can be no beating around the bush. Facts must be brought out and laid on the table.

The result is that the company learns more than it every knew before about the problems of its employees;

and the employees learn far more than they ever knew before about the problems of the company.

This makes for mutual understanding; and mutual understanding leads to harmony, co-operation and progress.

2. The Plan Allows for Localized Action

The Employee Representatives for each Republic plant know personnel and conditions in that plant.

They do not talk to management in terms of theories and generalities. They know exactly what is going on in their plant, and they know what they think ought to be done about it.

3. The Plan is a Co-operative Method.

The Employee Representation Plan is founded upon the premise that employees and employers are engaged in a common enterprise—and that it is to the mutual advantage of both employees and employers to work out the details of that enterprise in such a way that the whole affair will run smoothly, for the benefit of both.

The plan recognizes the fundamental fact that we are all in the steel business together.

4. The Personnel of Our Employee Representatives

Employee Representatives have given the viewpoint and the desires of employees in a perfectly straight-forward way. This is what they were elected for, and expected to do, so that management might know what is in the minds of the men.

The duties of Employee Representatives require a great deal of courage, tact and a willingness to study and analyze facts. The job is not an easy one.

The record of accomplishment under the Plan shows

conclusively that the Employee Representatives have proven their ability to fulfill the responsibilities placed upon them by the employees.

[3]

REPUBLIC PRODUCTS CAN "TAKE IT"

By R. J. Wysor

Executive Vice President and General Manager

(Picture of Wysor in upper left hand corner)

(There are two pictures in the left hand corner of this page, one showing a tractor captioned "Agathon Alloy Steel is used for frames and parts of this tractor and cultivator which must stand up against the severest kind of farm use." The other picture a salt well pump and is captioned "Because Toncan Iron pipe successfully resists corrosion, Toncan is used for salt well pumps.")

New inventions, new processes, new products and new developments in industry present to the makers of steel a never-ending challenge.

Today steels must be custom made—designed to fit the particular needs of the buyer. Manufacturers demand special steels, specially adapted to special purposes.

Republic has pioneered in "tailor-made" steels.

Builders of trucks have sought lighter and stronger steels. Republic has developed them. Republic Double-Strength Steel makes one pound of steel do the work of two. By the use of this steel a truck can be 30 to 40 per cent lighter and still capable of carrying the same load as before.

Railroads, too, want these lighter steels. Over three tons of Republic "double-strength" were used in America's latest type streamline locomotive.

With the development of modern manufacturing processes, manufacturers in a host of lines need steels which will stand up under excessive stresses, vibrations, corrosions and high temperatures. Republic has developed special alloy steels which will fill the bill.

Automobile manufacturers need a wide range of special steels. Republic has anticipated their needs. It makes steel for motors which are capable of withstanding the temperature change from 20 degrees below zero to 1600 above within one minute. It makes sheets especially designed to hold up under the deep drawing operations required in passenger car body manufacture.

Republic Enduro Stainless Steel is an amazing product. Because it is stainless it is used for photoengraving tanks, textile dye tanks, acid containers and similar purposes where resistance to corrosion is the important element. Because it is clean, it is used in canneries, bakeries and the manufacture of food products. Because it is ornamental, and will not rust, it is used for store fronts, soda fountains and trim for motor cars. Because it will withstand high temperature, it is used for a number of special processes—for instance, in the cracking plants of petroleum refiners, where the heat is terrific.

Manufacturers in hundreds of industrial lines have sought for alloys which successfully resist corrosion. Republic Toncan Iron does it. Toncan may turn up almost anywhere. At Midway Island, a tiny pinpoint on the Pacific ocean, "service stations" of Toncan siding, roofing and gutters have been installed on the air route to China. The **Seeandbee**, Lake Erie passenger ship, contains a mile of Toncan pipe. Because of its rust-resistance, tons of Toncan are buried far beneath the earth in septic tanks that guard health, in pipe lines for water, steam, oil or salt wells. Because it fights corrosion, Toncan goes high into

the air for such tough jobs as carrying off hydrochloric fumes from chemical plants. In African rubber works, in gold mines, where it battles carbonic and sulphuric acids, in cyanide tanks, in alum lines of paper mills, in exhausts of Diesel engines, in baffles for condensors in sugar factories, Toncan takes punishment that would reduce or-

[4]

dinary metal to a heap of rust far more quickly.

(There are three pictures on this page. One on the right hand side shows oil wells and is captioned "Republic electric weld casing and tubing stands up under severest service in oil fields." The picture in the lower left hand corner shows a number of steam pipes and is captioned "Republic steel pipe was used for water and steam lines in a large hotel in Akron. The job took more than seven carloads." The pictures beside the one above shows an arch installation in a park and is captioned "This sectional plate arch installation in a park in Pennsylvania is made of Toncan Iron.")

Manufacturers today want steels which are capable of being fabricated into almost any conceivable form and shape. Republic has them. You will find these steels in refrigerators, filing cases, furnaces, furniture and a thousand and one different places.

Republic special steels must be able to "take it". For instance—Republic makes steel for rotary drill bits for the oil field. Wells today may go down 9000 feet. As the bit goes down farther and farther, the weight of the drill stem above it increases. At 9000 feet the weight is enormous, and the tension stress is tremendous. Just try to conceive the bursting of mud under high pressure and the vibrational stresses due to power transmission and the pulsation of mud pumps. And the steel bit must stand up in spite of this terrific beating!

Republic pipe, too, must be able to stand the strain of a "string" 9000 feet long, with the weight of the whole "string" hanging upon the uppermost coupling.

The products Republic sells the railroads must "stand the gaff". A test was recently made on Republic Agathon nickel iron staybolts in a heavy Mikado locomotive. The locomotive had seen eight years and 300,000 miles of service—and yet the staybolts, when they were removed and tested, showed that they had lost practically none of their original strength and toughness.

Republic makes steels for airplanes—stainless for manifolds and heating coils, alloys for landing gears, steel tubing for wings. The wings must not falter, no matter what the speed or the weather—the landing gear for a large plane must be able to withstand a landing impact of 32½ tons.

(Continued on Page 14)

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REPUBLIC EMPLOYEES MAKE

(On this page in the lower left hand corner is a picture of the National Safety Council Trophy and is captioned "National Safety Council Trophy." In the lower right hand corner is a chart showing Per Cent Decrease In Lost Time Accidents Under 1929 and Per Cent Decrease In Fatal Accidents Under 1929. The years from 1929 to 1935 are given in each instance with a graphed line drawn opposite each year with the percentage marked and in the extreme right hand side there is a column listed "Number of Employees Saved from Injury" and below that one listed "Number of Lives Saved". The chart states that "4710 Employes Have Been Saved from Injury in 6 Years" and "40 Employees have been saved from fatal injury in 6 years.")

Republic employees worked approximately 27,000,009

more man hours during 1935 than during 1934 and lost 8,500 less days on account of accidents.

The Accident Frequency was reduced by 26% and the Accident Severity by 38% as compared to the 1934 record.

Credit for this remarkable showing is due chiefly to careful thinking and team work on the part of the employees, who worked in close harmony with the supervisory forces in following safety rules and instructions, vigorously enforcing safety regulations and eliminating unsafe practices and careless acts.

The Central Alloy District led all steel plant operations with a severity rating of 1.11. This represents a reduction of 53% as compared with the District's 1934 record.

Canton Culvert Division took first place among all operations not included in the steel plant group by completing the year with a clear record.

Republic has taken a place in the front rank of the great industrial organizations which have taken part in safety and accident prevention activities.

The significance of steadily improving safety records cannot be over-emphasized. Every reduction in the accident frequency rating means that injury has been avoided—that much pain and suffering, all needless, have been prevented.

The records show that if accidents had continued from 1929 to the present time at the same rate at which they happened in 1929, there would have been 4,710 more lost time accidents than was actually the case. This means that 4,710 lost-time accidents have been prevented from 1930 to 1935, inclusive.

On the same basis, a comparison with records of previous years show that 40 men have been saved from death.

These facts are the real measuring stick of the value of safety work.

National Recognition

Five plants of Republic received national recognition at the National Safety Congress held in Louisville, Ky., during October, 1935.

These plants were awarded trophies for the best safety records in groups in which they were entered during the contest which started July 1, 1934, and ended June 30, 1935.

The trophies were awarded to the following plants:

Corrigan-McKinney, Cleveland
Steel and Tubes, Inc., Brooklyn
Ideal Foundry & Machinery Co., Beaver Falls
Grand Crossing Plant, Chicago
Upson Nut, Unionville

The men in these plants are to be congratulated for making these safety records.

[6]

FINE SAFETY RECORD

(There is a picture in the bottom middle of this page of two men and below that the picture of a medal. This is captioned "Roy Jobe (left) saved the life of Frank Bieber (right) by the Prone Pressure Method of Artificial Respiration. Jobe was awarded the President's Medal of the National Safety Council.")

It's Not "Luck"—It's Work and Training

The prevention of accidents in Republic is not left to mere chance, but it is based on a definite organization functioning regularly.

A regular schedule of Safety meetings is held in each

District every month. These meetings are of three types. There is the District Safety meeting which is attended by the District Manager and all department superintendents. Each superintendent in turn holds a meeting each month with his foremen or supervisors. These foremen hold meetings with their men and consequently every man in the Republic organization attends a safety meeting at least once a month. During 1935 there was a total of 27,729 safety meetings held at which the attendance totaled 407,714.

In actual practice Safety is made a part of the job, because, in Republic safety is considered an operating problem. In many districts foremen will hold short meetings with their men before the start of the turn and it is general practice to set up special meetings where an unusual job is to be undertaken. In this way special plans are made, instructions are issued and the job is handled more efficiently and free from accidents.

Foreman Saves Worker's Life

Roy Jobe, Blast Furnace Labor Foreman in the Buffalo District, saved the life of Frank Bieber, one of his men, on June 5, 1935, by his knowledge of the Prone Pressure Method of artificial respiration learned in the safety meetings held in the Buffalo District.

Bieber was overcome by gas while working in a 72-inch gas main and the quick action of the foreman and other members of the crew in the application of resuscitation measures prevented death.

Jobe was awarded the President's Medal of the National Safety Council for his prompt and efficient action in saving the life of a fellow worker.

During 1935 there were 1,662 demonstrations of the Prone Pressure Method held throughout the Corporation, at which 33,439 men were present for instruction and prac-

tice. This work is part of Republic's regular Safety program.

Good Housekeeping

Last year 994 good housekeeping inspections were made to emphasize the necessity of keeping plants clean, orderly and safe.

More Safety Shoes

In 1935 there were 5,927 more pairs of safety shoes purchased by Republic employees than the year before. All employees are encouraged to wear safety shoes and thus reduce the possibility of toe injuries.

(Enclosed in box on right hand side of page)
(Republic Steel Emblem)
1935

SAFETY HONOR ROLL

Plants Mines or Departments
Without Lost Time Accidents

Warren

Blooming Mill, Research-Inspection, Shipping, Coke Plant, Electrical, Transportation, Roll Shops, Miscellaneous.

Central Alloy

(Canton)

Rough Bar and Heat Treat, Electric Furnace, Mason, Electrical, Blast Furnace.

(Massillon)

Coke Plant, Electrical, Miscellaneous.

Buffalo

8" Mill, Blooming Mill, 10" Mill, Roll Shop, Miscellaneous.

Cleveland

Electrical, Coke Plant, Main Power Station, Miscellaneous.

Northern Ore Mines

Susquehanna, Tilden.

Youngstown

Bloom and Billet, O. H., Electrical, Mason.

Chicago

(South Chicago)

Mason, Heat Treat and Spike, Electrical.

Chicago

Grand Crossing.

Dilworth Porter

No. 2 and No. 3 Spike Dept., Maintenance Mechanical, All Other Labor.

Union Drawn Steel Co.

Beaver Falls No. 1, Beaver Falls No. 3, Ideal Foundry & Machinery Co.

Upson Nut

(Cleveland)

Third Floor Packing, Transportation, Miscellaneous.

Upson Nut

Muncie, Unionville.

Birmingham

Coke Works.

Canton Culvert

Canton.

(Universal Safety Emblem)

[7]

EMPLOYEE REP (Caption continued on next page)

(This page contains group pictures of Employee Representatives. The first group is composed of four men from St. Paul—Stevenson Mine. Next to that is a group of three men from Kinney Mine. Next to that is a group of three men from Ironton Mine. The middle group picture is of fifteen men from Cleveland, O., District, Cleveland Plant. The group beside that is of three men from Commodore Mine. On the bottom row is a group picture of seven men from the N. & G. Taylor Co. and beside that is a group of three men from Julia Mine.)

RESENTATIVES

(This page contains group pictures of Employee Representatives. The first picture on the top row shows a group of three men from Townsite Mine. Beside that is a group of three men from Susquehanna Mine. Beside that is a group of three men from Alexandria Mine. On the middle row the first group is of three men from Cambria Mine. Beside that is a group of eight men from the Birmingham Ala., District, Thomas Plant. On the bottom row is a group picture of four men from Tobin Mine. Next to that is a group picture of five men from the Birmingham, Ala., District, Spaulding Mine.)

EMPLOYEE REP (Caption continued on next page)
(This page contains group pictures of Employee Representatives. On the top row is a group picture of twenty-eight men from the Central Alloy District, Canton, Ohio, Plant. On the middle row is a group picture of twenty men from the Central Alloy District, Massillon, Ohio, Plant. Beside that picture and running into the next page is a group of fifteen men from the Buffalo, N. Y., District. On the bottom row is a group of three men from the Chicago District, Moline, Ill., Plant. Just above that is a group of four men from the Chicago District, Grand Crossing, Ill., Plant. On the bottom right hand corner is a group of twelve men from

the Chicago District, South Chicago, Ill., Plant.)

RESENTATIVES

(This page contains group pictures of Employee Representatives. The top row group picture is of twenty-nine men from the Youngstown, Ohio, District. The middle row picture of a group of thirty-two men from the Warren, Ohio, District. Just above the bottom row is a group of three men from the Upson Nut Division, Muncie, Ind., Plant. On the bottom row is a group of seven men from the Upson Nut Division, Cleveland, O., Plant. Next to that is a group of three men from the Upson Nut Division, Unionville, Conn., Plant.)

EMPLOYEE REP (Caption continued on next page)

(This page contains group pictures of Employee Representatives. On the top row is a group picture of five men from the Union Drawn Steel Co., Massillon, O., Plant. Next to that is a group of three men from the Union Drawn Steel Co., Gary, Ind., Plant. On the middle row is a group of three men from the Union Drawn Steel Co., Beaver Falls, Pa., Plant. Beside that is a group of three men from the Union Drawn Steel Co., Hartford, Conn., Plant. Next to that is a group of three men from the Ideal Foundry and Machinery Co., Beaver Falls, Pa. On the bottom row is a group of five men from the Berger Manufacturing Co., Canton, O. Next to that is a group of four men from the Dilworth-Porter Division, Pittsburgh, Pa.)

RESENTATIVES

(This page contains group pictures of Employee Representatives. On the top row is a group picture of three men from the Steel and Tubes, Inc., Brooklyn, N. Y., Plant. Beside that is a group of six men from the Steel and Tubes, Inc., Cleveland, O., Plant. On the middle row is a group picture of three men from the Steel and Tubes, Inc., Super-

ior Plant, Elyria, O. Beside that is a group of three men from the Steel and Tubes, Inc., Elyria, O., Plant. Beside that is a group of four men from the Steel and Tubes, Inc., Detroit, Mich., Plant. On the bottom row is a group picture of three men from the Canton Culvert Division, Canton, O. Next to that is a group of eight men from the Truscon Steel Co., Cleveland, O.)

REPUBLIC PRODUCTS CAN "TAKE IT" (Continued from page 5)

(The picture at the top of this page shows a Blast Furnace and ore piles and is captioned "Blast Furnace and Ore Piles".)

Up to this point only a few of Republic products and their thousands of uses have been even touched upon. To mention them all would require a book of very considerable size. This is especially true because today new uses are constantly being found for steel and Republic is making the steels for these uses.

Manufacturers of the consumer articles, the things you and I buy, secure their raw materials from Republic in one form or another.

These raw materials in the form of iron and steel are used by the manufacturers of railroad cars and equipment; the builders of automobiles; the producers of building materials of many sorts and varieties; the fabricators of air conditioning, heating and ventilating equipment and literally scores of others.

The raw materials which they buy from Republic and transform into finished products are, among others:

Open hearth steels and irons; Bessemer steels; electric furnace steels; bar mill products; cold drawn products; culverts; die-rolled products; rail steel products; plates;

semi-finished steels; sheets; spikes; strip; tin plate and wire products of all sorts.

In many cases these same raw materials go to the subsidiaries of Republic who in their turn fabricate them for the consumers' market.

From the plants of these subsidiaries come articles of every description that find their eventual buyers in all parts of the world.

Metal furniture and office equipment cabinets and shelving; equipment for laboratories; rivets; nuts and bolts; wire; nails and tacks are only a few of the products that are Republic made from the pig iron to the last fabricating operation.

Republic steel products, because of their wide diversity, enter into our every day lives in scores of ways.

They are used in our homes, in the factories and offices in which we work. In the automobiles, trains, airplanes and ships, in which we ride. The garden tools, the fishing rods, that we use in our idle hours, the cans that protect and preserve our food, may well be made of Republic steels.

With startling frequency new uses are found for steel in one form or another and each new use means more potential business for Republic.

This is especially true because of the wide diversity of Republic products. It is this very diversity which has made Republic a great producer of iron and steel and which will make it an even bigger one as the years roll by.

This diversification plus the equality which Republic men build into Republic products accounts for the fact that Republic Steel Corporation is a growing, progressive company.

There can be no flaws in Republic products—no guess work, no sloppy workmanship. Republic steels must—and do—"have the stuff."

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ATHLETIC ACTIVITIES

(The picture at the top of this page shows the softball championship team of the Warren District and is captioned "Champions of the Warren District Soft-ball League Masonry-Labor Department". The picture on the right hand side of this page is a trophy for the bowling champions and is captioned "Wysor Bowling League Trophy.")

The employees of the Warren district have worked out a system of athletic activities which grew very naturally out of a request made by a number of employees to the Employee Representatives, urging them to see what could be done along this line. The Employee Representatives appointed an athletic committee to study the question, and, as a rseult, early in 1934 formed a soft-ball league of the various departments of the mill.

A season's soft-ball schedule was played that summer and proved very popular. Its success indicated to the Employee Representatives that they would be justified in going farther; so a bowling league was formed and a schedule set up and played out. An inter-departmental basketball league was also formed, and a schedule played.

The program grew in popularity and in activity in 1935. Last summer twenty soft-ball teams, with a total of some 350 players, played 187 games to 50,000 spectators. In addition, during the last year, there were nineteen bowling teams, thirteen basketball teams and about one hundred and seventy-five golfers.

Trophies were awarded to the winning teams in soft-

ball, basket-ball and bowling, and the golf season wound up with a tournament in which supervisors, as well as employees, participated.

The entire athletic program is financed and supervised by the employees themselves. Promotion and general guidance is in the hands of the athletic committee of the Employee Representatives. Finances are derived largely by charging ten cents admission for all soft-ball and basketball games. The athletic committee has worked out satisfactorily details having to do with playing equipment, suits, and so forth. The planning and the management of the program as a whole was entirely an employee proposition.

The athletic activities in the Warren District show that employees, with the right kind of planning and organization, can develop a very comprehensive and satisfactory program of employee athletics.

Wysor League Stirs Interest of Republic Bowlers

Interest in the Wysor Trophy Bowling League was manifested through the 1935-36 season by the number of teams competing in the telegraph league. The first round was won by Corrigan-McKinney bowlers. The trophy is to be awarded the winner at the close of the season.

[15]

WHAT EMPLOYEES WANT
By T. M. Girdler
Chairman of the Board and President

(Picture of T. M. Girdler at top left hand side of page.)

(Enclosed in box)

On February 5 of this year, T. M. Girdler, Chairman and President of Republic, made a talk before members of the American Management Association in

Chicago on the subject of "Industrial Relations". His audience was composed of business men, who were particularly interested in problems of wages, hours and working conditions.

We are here reprinting a portion of Mr. Girdler's talk, as we believe it to be of particular interest to every Republic employee.

A great deal of talk goes around about what the worker wants. We hear this from labor leaders, politicians, social workers and writers. Much against our better judgment, we of management who were actually under the same roof with our workers, listened and even accepted at times the immature and badly formed opinions of these outsiders.

A more sensible method has always been at hand and whenever we used it, we couldn't go wrong. That method is to go directly to our own men and to discuss frankly, honestly, and above board our mutual problems. When enterprises were small, that was the natural procedure. As industrial organizations grew larger we lost that direct contact. That must be regained, and it has been regained, by those companies and industries where the employees have adopted employee representation plans.

A great many people make the mistake of assuming that most industrial workers are misinformed, if not ignorant, and that they are not able to take care of themselves or to protect their own interests. I can only speak from first hand knowledge of workers in the steel industry; but I assume they are typical of industrial employees everywhere.

These men are neither misinformed nor ignorant. They keep abreast of the times through newspapers and other

publications. They are conversant with conditions in the steel industry and in the country. They are fully competent to choose men from among their own number who can represent them honestly and forcefully.

To those who would know what the workers want, I would say, ask the worker himself. You and I, as employers, know from what thousands of workers have told us that what the worker wants is as much as he can get out of a job. And you know that we do not oppose his getting as much as there is for him to get without impairing efficiency in a competitive market. No man can get more than a business can afford to pay him without imperiling his job altogether.

Our workers know the steel business. They know that we are doing the best we can for them in the present circumstances. The workers are co-operating with management to put the industry back on its feet.

In the steel industry we very definitely see the possibility of steady work over a long period providing we can plan with some assurance for the future. Many new markets have been developed in the steel industry and vast potential markets are clearly visible upon the horizon if business and capital are permitted to proceed under conditions which do not hamper enterprise.

Courage is not lacking in the United States. Initiative and opportunity are not lacking. We have been through a terrible crisis which has taught us much. To me, its most deeply engraved lesson is that only out of productivity, only out of increased productivity can industry—the employer and the worker—prosper. But this prosperity, to be real, to be effective, must be based upon understanding and co-operation.

Nearly Half a Million People Own the Steel Industry

The ownership of the steel industry of the United States is spread among a total of approximately 470,500 stockholders, according to a survey among steel companies representing more than 93 per cent of the country's steel ingot producing capacity.

Of this number, approximately 300,000 stockholders own from one to twenty shares of stock apiece. Over 111,000 stockholders own between twenty and one hundred shares each, and only approximately 58,000 or about 12 per cent, own more than one hundred shares each.

The steel industry actually has more stockholders than it has employees. Total employment in the industry is now approximately 450,000.

Including both stockholders and employees, the industry is now contributing directly to the support of at least 9,200,000 people.

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BRIEF HISTORY OF REPUBLIC

From 1930 to 1936

(There are two pictures on this page. One is in the lower right hand corner and pictures the new McDonald Observatory and is captioned "The new McDonald Observatory of the University of Texas is entirely covered with Republic Toncan Iron. The Observatory houses the second largest reflector telescope in the world." The other picture is to the left of the aforementioned picture and shows a man looking through a miscroscope and is captioned "Examining thin slag sections under the miscroscope at Republic's laboratories.")

Republic Steel Corporation was formed in April, 1930,

by the consolidation of a number of steel producing companies.

Among the major companies which went to make up Republic Steel Corporation were: Republic Iron & Steel Co., Central Alloy Steel Corporation, Donner Steel Co., Bourne-Fuller Co., Interstate Iron & Steel Co., Union Drawn Steel Co., Steel & Tubes, Inc., Berger Manufacturing Co., and Trumbull Cliffs Furnace Co.

In addition, various other subsidiary companies were acquired in whole or in part.

During 1930, Republic Steel Corporation became established as the third largest steel company in the United States.

Then along came the depression.

Markets dwindled, prices went to pieces, production dropped. The Corporation, like many other companies during the depression period, fought a tremendous battle to maintain its very existence.

But all this time it was looking ahead. It was looking forward to the days when the depression would be a thing of the past, the country's purchasing power would revive, and the demand for steel would again be increased.

Republic determined to be ready for that time, when it should come.

During the depression period, therefore, the company placed special emphasis upon research. In its laboratories Republic developed a wide range of new alloy steels which are adaptable to a wide variety of purposes never even dreamed of in pre-depression days.

And then business gradually began to improve. Republic's advances in research and metallurgy, made during the depression, began to bear results.

Republic—with an outstanding reputation as a designer of new and special steels adaptable to new and special purposes—stepped aggressively into 1935 steel markets and achieved the best year in its history.

Republic's progress during 1935 was also furthered by the acquisition of the plants and properties of Corrigan McKinney Steel Company and control of the Truscon Steel Company.

The addition of these two companies to Republic made possible a grouping of plants and markets designed not only to strengthen Republic's competitive position in the steel industry, but also to add materially to its capacity to serve consumers of steel.

Corrigan McKinney had a production capacity for pig iron and semi-finished steel largely in excess of finished steel. Republic normally had an excess of finished steel facilities over those of semi-finished steel. Uniting the facilities of both companies, therefore, has effected a better balance of production facilities.

With the addition of Corrigan McKinney, Republic and its subsidiaries now have water frontage and docks along the Great Lakes at Cleveland, Buffalo, Chicago and Monroe, and a steadier, more orderly flow of production from iron ore through pig iron and semi-finished steel to finished steel. This makes possible savings in both production and distribution.

Truscon has also added largely to Republic's outlets for steel. Truscon is one of the country's largest fabricators of steel products entering into the building industry, and is especially active in the entire pressed steel field.

Republic's operations now range practically from New England to the Mississippi, and from Canada to Alabama. With the acquisition of Corrigan McKinney, Republic and

its subsidiaries have some 70 plants in 35 cities and towns—and in addition, Truscon, now controlled by Republic, has plants in Ohio, Michigan, California, Canada and Japan.

The events of the last year have materially strengthened Republic's position as the third largest steel company in the United States. Republic is the largest producer of alloy steel in the world, and has the nation's greatest capacity for stainless steel production.

Republic, in all of its plants, mines and offices, now has a total of approximately 45,000 employees. If all of these employees and their families lived in one place, they would make a city about the size of Dayton, Ohio, or Richmond, Va.

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STEEL'S THE FASHION NOWADAYS

(There are two pictures on this page. They appear in the lower left hand corner and are different views of a steel-frame house built in Washington. One view shows the frame work and the other view the completed structure. These are captioned "Berloy steel-frame house built in Washington by The Berger Mfg. Co., Republic subsidiary. The entire steel frame was erected by five men in 13 hours and the house itself completed in a month. The house was sold before completion.")

Six hundred pounds of steel is not much, inside a mill. But 600 pounds of steel in a home seems like a lot to lift around. And according to a recent survey the average home has that much steel in it.

But it is scattered through the home in many ways. Here is the steel in one of the homes that was checked, in pounds:

1 kitchen stove 250

4 spring mattresses	80
1 steel bed	40
Washing machine	150
3 pairs of scissors	1
1 bridge table	15
Davenport springs	15
Picture wire, ash trays, steel wool, book ends	2
Mouse trap	1 oz.
Garbage pail	5½
2 umbrellas	1
1 mechanical refrigerator	190
1 steel lamp	10
Springs for 4 beds	109
Kitchen pans and utensils	10
1 electric iron	6
Springs, 4 upholstered chairs	20
Nail files, manicure sets, hairpins, needles, pins	6 oz.
Bird cage and stand	25
Waste basket	2

The total is 932 pounds. Had a piano and radio been included it would have been well over half a ton. Yet this home had no unusual uses of steel. It was not a "modern" home, by any means.

In the strictly modern home, greater use of steel would have brought the total to tons. It would probably have a vacuum cleaner, steel fixtures in bathroom and kitchen pernaps a stainless kitchen sink and drain board or perhaps laundry tubs. Steel is being used more and more in lighting fixtures. If the home were air conditioned, that would account for much more steel.

In addition to the built-in features, countless articles are being made of Enduro stainless because it is so attractive and is cleaned so easily.

In the kitchen of this modern home we might find that frying pans, kettles, stew pans, casseroles, spoons, knives and forks, almost everything used in the preparation of meals had "gone stainless". Of course anything in electrical cooking would be of steel, from electric range to egg cooker, toaster, even the egg beater.

In the dining room we would probably find salad bowls, sandwich trays, coasters, tops for salt shakers, perhaps cigarette boxes and ash trays of stainless. And certainly a glistening coffee percolator.

It is no wonder that Enduro is popular. Enduro is made to last a life time. It doesn't dent or crack or chip like earthenware. And women like it because the shining surface of Enduro "matches everything" and because it is so easy to keep spic and span all the time.

Although men in Republic mills may not be aware of it, nevertheless the steel coming from their hands is doing more to make the homes of America a pleasant place to live than if they were artists or "home decorators".
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(This page has two pictures at the top of the page, side by side, showing in one a table set with stainless steel, captioned "A table set with Enduro stainless." The other picture shows a portion of a kitchen with a kitchen cabinet and sink equipped with stainless steel and captioned "The stainless steel in the sink and drainboard and on the cabinets is in Republic Enduro.")

"Steel-on-wheels has long since taken the place of the horse. Now steel has progressed from the garage into the house, and bids fair to displace older and less useful materials, all the way from the basement to the attic. The next step is going to be that the house itself will be built largely of steel.

The Berger Manufacturing Co., Republic's subsidiary, has perfected the Berloy Steel Frame House, which utilizes steel for the frame work and for many other purposes, but permits wide variation in type of finish and design. This offers a very practical method of building with steel, because it is flexible enough to allow for the individual tastes of the home builder. Several of these houses have already been built and sold, and more are contemplated.

The growing use of steel in the home represents one of the industry's largest potential future markets. The more steel used in the ordinary household, the greater assurance there will be of larger tonnage and steadier employment in the industry.

A $450,000,000 Tax Bill

During the seven years 1929 to 1935 inclusive, Federal, state and local taxes paid by the steel industry totaled over $450,000,000.

In a recent address, T. M. Girdler, Chairman of the Board and President of Republic, said, commenting on taxation:

"If industry is to provide men steady jobs it must be able to meet pay roll out of production. But also it must not face the burden of excessive taxation which will imperil its market.

"The ratio between income and taxation may be clearer if we divide a business dollar into its component parts.

"First and foremost are wages and salaries; second, purchase of raw materials and supplies; third, maintenance of plant and equipment; fourth, taxes, interest and other fixed overhead charges; fifth, dividends, if any.

"Now, you cannot add any excessive amount to any one

of these divisions of the business dollar without taking it away somewhere else unless the total is increased. If we are forced to pay more for taxes, we have to pay less for something else. Extremely high taxes will first attack dividends but may also eventually result in decreased wages."

The steel industry now employs 450,000 people. The industry's seven year tax bill of over $450,000,000 means that during that time the industry has paid in taxes an amount equal to over $1,000 per man now employed.

Group Insurance

In May, 1935, Republic announced a general group insurance plan which gives our employees an opportunity of obtaining without medical examination and at low cost, insurance benefits which are sound and permanent. The value and popularity of this insurance is shown in the fact that more than 95% of the employees eligible participated in the plan at the time it was announced.

From May 1 to December 31, 1935, benefit payments have been made to more than 1,700 employees and their families, many of whom would have had no other income at the time. During the short time since its adoption it has been found that the plan provides funds for our employees at time of greatest need.

Employees Plant 1,621 Garden Plots

Republic employees planted 1,621 garden plots during 1935. It is estimated that 7,343 people, including wives and children, benefitted from the harvest.

(The back cover is composed of various pictures of different processes of steel making and the one in the left hand

upper corner is captioned "Tapping an open hearth furnace." The upper right hand corner picture reads "Polishing a sheet of Enduro stainless." The picture below that reads "Cold rolling Enduro stainless strip." The picture in the left hand bottom corner is captioned "Finishing ends of electric weld pipe." The right hand bottom picture reads "Cooling alloy steel bars.")

BOARD'S EXHIBIT NO. 72

REPUBLIC
(Cover Picture)
A BULLETIN OF
REPUBLIC STEEL
CORPORATION
AND SUBSIDIARIES
Published in
Youngstown, O.
APRIL 1935

2 REPUBLIC

(Large picture of R. J. Wysor in the left upper portion of page.)

To the Employee Representatives:

I think you're doing a great job. You're giving us the viewpoint and desires of our employees, in a way that is straight-forward and to the point. That is what the employees elected you for—and that is what we want you to do.

You may rest assured that the management and the company representatives will continue to give your problems fair consideration and see that you get a "fair break."

Let's have frank and open discussions of any subject you may want to bring up. In that way, we can sit down across the table, get at the facts, and work things out together.

R. J. Wysor

APRIL 1935 3

THE YEAR'S ACCOMPLISHMENTS UNDER THE REPRESENTATION PLAN

by J. A. Voss, Director of Industrial Relations

Since the last Republic "Bulletin" was published, a year ago, the record of accomplishments, under the Employee Representation Plan, has been a really remarkable one.

For one thing, we have all learned to know each other better, and we have gotten closer together.

The company has gained a better understanding of the men's problems, and the men have learned a great deal more about the company's problems than they knew before. The company knows more about what the men want—the men know more about the company's business.

The employee representatives are certainly to be congratulated upon the excellent manner in which they presented the desires of the men, and the fine spirit of co-operation in which the questions have been worked out with the management.

What the Figures Tell

The story of actual accomplishments under the Representation Plan is best told by the record of the cases brought up under the Plan.

From March 1, 1934 to February 28, 1935, inclusive,

1538 different matters were discussed and settled under the Plan.

Of this number, 1038 cases, or 67% of the total, dealt with employment and working conditions, wages, piece work, bonus and tonnage schedules, and safety and welfare—which constitute, of course, the most important questions.

The rest of the cases had to do with such questions as sanitation, transportation, living conditions, education, recreation, and so forth.

It is very significant that during the last twelve months an increasingly large number of questions of this nature have been brought up. This means that the Employee Representation Plan is becoming even more effective. It means that more of the employees, and the employee representatives especially, are becoming increasingly interested in ways and means whereby work can be made more efficient and life may be made pleasanter, safer, and more comfortable.

There is not room in this bulletin to tell in detail of the many various things which have been done as a result of requests by employee representatives in the corporation's different plants and mines. They are of all sorts and descriptions. You yourself are familiar with what has been accomplished through the Plan in the division in which you work.

It has been particularly interesting to note that a great many of the suggestions which have been made by employee representatives have been of distinct benefit to the company as well as to the men. The men often see things which management overlooks. A large number of this year's suggestions have resulted in better workmanship and more efficient operation.

Results

Of the 1538 cases handled under the Plan from March 1, 1934 to February 28, 1935, 1086, or 70%, were settled in favor of employees, 213 cases or 14% were settled in the negative, 78 or 5% withdrawn by employees, 59 or 4% compromised, and 102 or 7% remained pending settlement.

An old proverb says that "the proof of the pudding is in the eating". The figures showing the nature of the questions raised, and showing how these questions were decided, certainly demonstrate what a practical and efficient plan of collective bargaining the Employee Representation Plan is. It works.

(Continued on page 15)

(Enclosed in a box in lower left hand corner)

CASES HANDLED UNDER THE EMPLOYEE REPRESENTATION PLAN FROM MARCH 1, 1934 TO FEBRUARY 28, 1935, INCLUSIVE

Subject	Total Cases Handled
Employment and Working Conditions	413
Wages, Piece Work, Bonus, Tonnage Schedules	318
Safety and Welfare	307
Practice, Methods and Economy	103
Health and Works Sanitation	150
Employee Transportation	56
Housing and Living Conditions	24
Education and Publications	12
Athletics and Recreation	69
Rules, Ways and Means	86
Total	1538

Settled in Favor of Employees	1086
Settled in the Negative	213
Withdrawn by Employees	78
Compromised	59
Pending Settlement	102
Total	1538

4 REPUBLIC

(This page is comprised of group pictures of Employee Representatives. In the upper left hand corner is a group of twenty-nine men of the Central Alloy District, Canton, O., Plant. In the upper right hand corner is a group of twenty-two men of the Central Alloy District, Massillon, O., Plant.)

(Centered in upper middle portion of page)

EMPLOYEE
REPRESENTATIVES
Youngstown, Massillon,
Canton, Buffalo
and Warren

(Middle row, group picture of eighteen men from the Buffalo, N. Y., District. Next to this is a group picture of thirty men from the Warren, O., District. The bottom row group picture is of thirty men from the Youngstown, O., District.)

APRIL 1935 5

(This page contains group pictures of Employee Representatives. In the upper left hand corner is a group picture of seven men from the Upson Nut Division, Cleveland, O., Plant. In the upper right hand corner is a group of three men from the Upson Nut Division, Muncie, Ind., Plant.)

(Centered in upper middle portion of page)

EMPLOYEE
REPRESENTATIVES

Upson Nut Divisions,
South Chicago, Moline
and Grand Crossing

Middle row, group picture of three men from the Upson Nut Division, Unionville, Conn., Plant. Next to this is a group of twelve men from the Chicago District, South Chicago, Ill., Plant. The bottom row, lower left hand corner group picture is of four men from the Chicago District, Grand Crossing, Ill., Plant. The bottom right hand corner picture is of a group of three men from the Chicago District, Moline, Ill., Plant.)

6 REPUBLIC

THINK SAFETY - - - WORK SAFELY
by R. H. Ferguson, Manager of Safety

(There is a chart in the upper right hand corner of this page showing the Per Cent Decrease in Lost Time Accidents under 1929 and the Per Cent Decrease in Fatal Accidents under 1929. The years from 1929 to 1934 are shown and graphed lines opposite the years show percentage decreased. In a column to the extreme right captioned "Number Employees Saved from Injury" under Lost Time Accidents, and "Number of Lives Saved" under Fatal Accidents. In the lower left hand corner of this page is the picture of a shoe split open from the weight of 108 pounds on the toe.)

The year 1934 was not a good year for safety in Republic. While no effort was spared to further the accident prevention activities, yet there was a 23% increase in Lost Time Accidents, while Man Hours increased only 16%.

All of the "picture" is not so black, however, as the

above figures might indicate. For instance, the Youngstown District operated 57 days without an accident and won the "Certificate of Merit" awarded by the State of Ohio. The Buffalo District operated 224 days without an injury and won the Associated Industries of New York award for the accomplishment. The Warren District worked the second consecutive year without a fatal injury.

The Townsite Ore Mine has operated more than four years without a Lost Time Accident while the Unionville Plant of Upson Nut had worked 1,760 accident free days and the Gary Plant of Union Drawn 1,254 days up to the first of the year.

These are real safety records, men! It only proves to every one of us that it can be done.

Based on 1929 figures, even last year's record showed improvement. During this five year period, 3,275 employees had been saved from Lost Time Accidents and 24 employees saved from fatal injury.

The failure to observe safety rules and instructions and the indulgence in unsafe practices, rather than physical conditions, were largely responsible for the accident increase in 1934.

The reporting of Unsafe Practices has done much to eliminate unsafe working habits. Let's keep after this part of the work. The strict observance of safety rules and instructions and the regular attendance in group safety meetings will help produce results.

Safety is not a "one-man job". It is everybody's job. Do your part. Make 1935 a safe year.

Think Safety—Work Safely.

(Article in lower left hand corner)
108 Pounds on the Toe—but No Injury

Two hours after a hooker in the bar finishing department of the Buffalo District of Republic had purchased a pair of safety shoes, he was holding the cables on a lift of four crank shafts which had been placed on a bench. The crane operator, mistaking another hooker's gesture, took it as a signal to hoist. The cable sling tipped the lift and one crankshaft, weighing about 108 pounds, slid off the bench and dropped end first onto the hooker's foot 24 inches below. The picture tells the story.

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Republic Steel Corporation and Subsidiaries

EMPLOYEE REPRESENTATIVES
1934 - - 1935

CENTRAL ALLOY DISTRICT
Canton Plant

Bartlett, H. M.; Bender, Purvis; Bishop, L. L.; Campbell, D.; Camper, Wiliis; Cline, C. W.; Denzer, D. M.; DeRoche, L.; Dunn, J. M.; Gathers, A. A.; Geltz, Robert; Gottscheck, Wm.; Harro, Harvey; Heidy, E. L.; Hodge, Charles; Fisher, F. T.; Jones, David; Lantry, Burrell B.; Lappin, C. E.; Lilly, R. J.; Miller, G. E.; Morris, V. W.; Reese, W. D.; Saunders, T, Sr.; Shankel, T. H.; Starkey, C.; Stewart, Jas.; Syfert, L. A.; Whitehouse, Richard.

Massillon Plant

App, William; Barnes, Raymond; Beckler, Clayton W.; Brown, N. C.; Burkhart, Donald A.; Burson, J. W.; Clark, L. B.; Conkle, Raymond; Graham, W. L.; Hammer, O. W.; Hoffman, Paul; Hollinger, J.; Linckenhely, N.; Machan, Russell; Reese, John; Rossiter, Efford; Rutherford, A. S.; Shoemaker, Ralph; Steiner, Harold R.; Seward, R. D.; Teeters, Abraham; Wagoner, Geo.

YOUNGSTOWN DISTRICT

Ague, Roy; Amon, Charles; Bakes, John; Beam, Charles; Beatty, W. Leon; Connors, Earl; Cuccarese, Phillip; Dyer, George; Gething, Evan; Guest, John; Joyce, Stephen; Keeling, A. J.; Klenotich, George; Krichbaum, E. W.; Larson, Walter; Mondora, Ralph; Moschelia, Ferdinand; Mullaly, Ray; Murphy, Mart; Murphy, Patrick; Olson, Albert; Pearson, Charles A.; Price, Matthew; Sells, Edward; Smith, J. L.; Thomas, Willard; Thornton, William; Waldron, Frank; Walsh, Carl; Williams, Henry; Vearial, Burt.

BUFFALO DISTRICT

Barrett, Charles; Caher, Patrick J.; Courtney, John F.; Daly, Sylvester J.; Gannon, Walter J.; Hall, Thomas; Leatherbarrow, Albert; Leatherbarrow, Richard; Marquardt, Earnest F.; McDonnell, Miles W.; Nicol, William E.; O'Connell, Edward L.; O'Connor, John L.; Quinn, Felix; Reville, Thomas T.; Schnorr, Joseph; Vesona, Raphael; Weaver, John J.

WARREN DISTRICT

Allen, George L.; Bevan, James; Carnahan, Luster; Chilson, Ed.; Cook, Lonzo B.; Dahringer, A. F.; Devlin, C. S.; Drabers, C. W.; Dugan, Glenn; Edwards, Wm. M.; Evans, Stanley; Fawcett, J. A.; Gardner, Harry; Groth, G. E.; Herst, George B.; Hiryok, J. C., Jr.; Hughes, Charles; Hughes, William J.; Mitcheltree, Paul; Mulligan, E. J.; Parent, C. V.; Rallsberger, G. F.; Rees, David; Richards, F. W.; Roberts, R. A.; Shagnot, F. R.; Stephany, J.; Thomas, Frank; Thomas, George; Timms, A. P.; Warner, R. B.; Webb, Ernest; Whetstone, S. E.; Wilson, F. S.

CHICAGO DISTRICT

South Chicago Plant

Curran, C.; Enrietto, A.; Kretche, J.; Meyers, L.; Mil-

ler, C. E.; Moore, C. H.; Peters, F.; Peters, R.; Santelli, E.; Turizo, S.; Williams, C. R.; Williams, E.

Grand Crossing Plant

Anderson, W.; Norton, B.; Sypniewski, F.; Tishey, S.;

Moline Plant

Ford, E.; Hart, A.; Steele, C. L.

UPSON NUT DIVISION

Cleveland Plant

Beier, William; Bluhn, George; Dreier, Peter J.; Moore, James; Pelat, George; Ziegler, Fritz; Zirwes, Elmer.

Muncie Plant

Dawson, John; Hanes, Robert; Smith, Robert H.

Unionville Plant

Gagnon, Joseph; McMahon, George; Ryvak, Michael.

NORTHERN ORE MINES

Townsite Mine

Hocking, John; Johnson, John; Rowe, William.

Kinney Mine

Cundy, T. C.; Ilkka, John; Rappuchi, Gene.

Cambria Mine

Foisie, Jos., Jr.; Tilot, John; Yelland, Richard.

Alexandria Mine

LaFreniere, George; Pakiz, Carl; Salmi, Victor.

Susquehanna Mine

Carmichael, G. D.; Ferris, Elwood; Muck, Charles.

STEEL AND TUBES, INC.

Elyria Plant

Hotow, Fred; O'Dell, Milne E.; Winkler, C.

Brooklyn Plant

Devoe, T.; Obermeyer, L.; Ramsey, P.

Superior Plant

Bushwell, Ernie; Schoenfield, Chas.; Eddington, Merle.

Cleveland Plant

Davin, Tom; Herold, Carl; Lawrence, John; Miklavcic, Joseph; Phillips, Frank; Willis, Albert.

Ferndale Plant

Hurst, J.; McArthur, O. R.; Richardson, G.; Robinson, A.

UNION DRAWN STEEL CO.

Gary Plant

Griffin, Carl; McNary, Dean L.; Surprise, Kenneth.

Massillon Plant

Langenfeld, George J.; Pollock, George A.; Ritter, Charles J.; Tennis, Paul W.; Walter, Raymond O.;

Beaver Falls Plant

Fritz, Charles; Gumpf, John; Haggert, Andrew.

Hartford Plant

Callahan, James A.; Larson, Walter; Predota, Charles.

Ideal Foundry and Machine Co.

Eddy, John G.; Mitchell, R. H.; Stoner, T. C.

BIRMINGHAM DISTRICT

Thomas Plant

Gadsden, Frost; Gillespie, Hamp; McKinney, Peter; Mims, Albert V.; Nichols, Walter; Ponder, A. T.; Simpson, C. J.; Tate, J. D.

Spaulding Mine

Boykin, George; Calvin, Ned; Herring, C. E.; Langford, C. W.; Vincent, John.

BERGER MANUFACTURING CO.

Bailey, W. J.; Hahn, Shane; Hanna, E. E.; Meyer, C. C.; Williams, A. C.

DILWORTH PORTER DIVISION

Carney, I.; Orgi, Anthony; Strotz, Joseph; Shuster, Howard.

CANTON CULVERT CO.

Rubel, Benny; Smith, John; Wagner, John.

8 REPUBLIC

(Enclosed in Circle in upper left hand corner)

EMPLOYEE
REPRESENTATIVES

Northern
Ore Mines

(This page contains group pictures of Employee Representatives. In the upper right hand corner is a group of three men from the Townsite Mine, Ironwood, Mich. In the middle row left is a group of three men from the Alexandria Mine, Hibbing, Minn. Next to this is a group picture of three men from the Kinney Mine, Kinney, Minn. In the lower left hand corner is a group of three men from the Susquehanna Mine, Hibbing, Minn. In the lower right hand corner is a group of three men from the Cambria Mine, Negaunee, Mich.)

APRIL 1935 9

(Enclosed in circle in upper right hand corner)

EMPLOYEE
REPRESENTATIVES
Steel and
Tubes, Inc.

(This page contains group pictures of Employee Represen-

tatives. In the upper left hand corner is a group of seven men from the Steel and Tubes, Inc., Brooklyn, N. Y., Plant. In the middle row left is a group of three men from the Steel and Tubes, Inc., Superior Plant, Elyria, O. Next to this is a group of six men from the Steel and Tubes, Inc., Elyria, O., Plant. In the bottom left hand corner is a group picture of eight men from the Steel and Tubes, Inc., Ferndale, Mich., Plant. In the lower right hand corner is a group of eleven men from the Steel and Tubes, Inc., Cleveland, O., Plant.)

10 REPUBLIC

STEEL LOOKS TO THE FUTURE

By T. M. Girdler, Chairman and President

(Reprinted from the New York Times of January 20, 1935)
(The picture on this page is in the lower right hand corner and shows a portion of the Massillon Laboratories and is captioned "Massillon Laboratories Pioneer for Steel.")

Steel, that American giant which has been basic in the development of our industrial life, is about to enter new fields of application and usefulness to an extent never before anticipated. The rate of invention in the steel business has been speeded up during the depression; new steels and new uses for steel have been developed to such a degree that steel has not only caught up with the times but is actually ahead of them.

For ships at sea and in the air, for the new fast trains and for the automobiles that crowd our highways, improved steels are available. To factories and fields and offices where men work steel brings a new efficiency. And, finally, but not least important, steel is invading the American home as never before. It is being built into the homes; it is the material of which an increasing number of household utensils are being made.

Research men have perfected methods whereby steel can be produced to fit specifically the various uses indicated by the shifting markets. There has been a transformation in the whole research philosophy and in the marketing objectives of the industry. Steel salesmen and merchandisers study not only what types of steel are best adapted to current uses—they ponder on how steel can be adapted to purposes never before thought of. Their ideas are transmitted, in turn, to the research laboratories.

The great advantage of the steel industry today is its ability to produce "tailor-made" steels. There is no such thing today as simply "steel", but there are hundreds of specialized steels, each manufactured to do a particular job.

Some mathematically minded man has figured that the number of different combinations which can be made from iron, carbon, chromium, vanadium, manganese, molybdenum, silicon and nickel—to mention only a few of the most common alloying elements—amounts to 775 followed by no less than 1,974 ciphers. This indicates some of the infinite resources available to the manufacturers in the development of special-purpose steels.

Our research men have discovered that much of the variation in the characteristics of steel, which greatly affects the results in machining, heat treating and other processing, is directly traceable to factors in steel-making not connected with the chemical analysis itself. They have also found methods of controlling these factors, which are known as the "harden-ability factor" and the "grain size number". The result is a uniformity in characteristics and properties of steels, especially those which must be hardened or toughened by heat treatment, which has never before been accomplished.

When we consider the staggering losses each year from

rust and corrosion, it is easy to understand the widespread interest of all industry in the development of what is popularly known as "stainless steel". It should be emphasized that "stainless steel" is a term which popular useage has applied to what is really a series or family of both stainless and heat-resisting alloy steels.

Widely as stainless steels are employed today, I feel sure that the development of new uses, both in industry and in the home, has scarcely begun.

In the future the steel industry not only expects increased industrial replacement demand but a long list of new uses brought about by developments in the fields of air conditioning, aviation, railroad transportation, ship construction, housing and many others which may arise in either the immediate or the more distant future.

There is one group of alloys, for instance, with increased strength and at the same time decreased weight. In the long run, these alloys must inevitably lead to a complete replacement of a vast share of the country's present transportation equipment.

APRIL 1935 11

(The picture on this page is in the upper right hand corner and shows a slitting machine. This is captioned "Slitting Machine—Rotary Knives Shear Skelp for Electric Weld Pipe.")

There is a similar situation in the entire machinery field.

The home may likely prove the greatest of the new markets for steel. There is at this time an enormous deferred demand for new residences. When and if the financial situation permits resumption of new home building, this field may develop real tonnage for the steel industry.

Today, steel plumbing, furnaces, kitchenware, tableware, refrigerators, laundry equipment are no longer novelties—but the market has been hardly more than scratched. The home modernization program inspired by the Federal Government is daily bringing steel-built equipment, often for the first time, into thousands of homes and business structures.

The field of household appliances is not, in my opinion, so great as the potential market for the steel house. Both from the cost and production standpoints, the steel house is practical, and it has passed the experimental stage.

Equipment developed for rolling wide sheets for automobile bodies can, with modifications in rolling practice, be employed for rolling sheets of stainless steel, alloy steel sheets, iron alloy sheets, or sheets of enameling stock. All of these can be used for interior or exterior walls of buildings.

That steel framing for houses and small buildings will soon become widely accepted is almost a certainty, for steel can bring to these smaller buildings the same advantages of rigidity, fire safety, lightning protection and immunity to attack by termites and vermin that it does now to skyscrapers.

The fact is that within comparatively few years steel may actually change the face of the entire landscape. New styles in architecture are being devised to make full use of the many advantages of steel. Perhaps steel buildings will have as many fashions and designs as there have been in wood, brick and stone structures.

Steel today is anticipating new wants. It stands waiting for the return of business confidence which may translate potential markets into current demand.

(Enclosed in box at bottom of page)

SOME OF THE PRODUCTS OF REPUBLIC AND SUBSIDIARIES

Pig iron, coke and coke by-products.

Open hearth, Bessemer and electric furnace steel; alloy and carbon blooms, billets, slabs, sheet and tin bars, skelp and rods, merchant steel bars, small shapes, special sections.

Strip: Hot and cold rolled.

Sheets: Blue annealed, black, pickled, full finished, auto body, metal furniture, electrical, galvanized, long ternes, enameling iron.

Tin plate: Coke tin plate, standard and lacquered finishes, tin mill black.

Cold drawn steel: Carbon and alloy rounds, squares, flats, hexagons and special shapes, turned and polished rounds, ground products, cold heading wire.

Fabricated products: Steel filing cases, desks, tables, storage cabinets, lockers, shelving, ceiling, joists, steel lath, voting machines.

Iron and steel culverts.

Pipe and tubes: Electrical resistance weld, butt and lap weld, oil country goods, boiler tubes, rail steel tubing, conduit.

Specialties and miscellaneous: Enduro stainless steels, Toncan copper molybdenum iron and Agathon alloy steels in many forms and finishes; bolts and nuts, wire and wire products, tacks and nails, railroad spikes and tie plates.

12 REPUBLIC

(Enclosed in a circle in the upper left hand corner of page)

EMPLOYEE
REPRESENTATIVES

Union Drawn
Steel Co.

(This page contains group pictures of Employee Representatives. In the upper right hand corner is a group of three men from the Union Drawn Steel Co., Gary, Ind., Plant. In the middle row left is a group of three men from the Union Drawn Steel Co., Hartford, Conn., Plant. In the group picture next to this is a group of five men from the Union Drawn Steel Co., Massillon, O., Plant. In the lower left hand corner is a group of three men from the Union Drawn Steel Co., Beaver Falls, Pa., Plants. In the lower right hand corner is a group of three men from the Ideal Foundry & Machine Co., Beaver Falls, Pa.)

APRIL 1935 13

(Enclosed in a circle in the upper right hand corner of this page)

EMPLOYEE
REPRESENTATIVES

Birmingham District,
Berger Mfg. Co.,
Dilworth-Porter Division
and Canton Culvert Co.

(This page contains group pictures of Employee Representatives. In the upper left hand corner is a group picture of four men from the Dilworth Porter Division, Pittsburgh, Pa. In the middle row left is a group of eight men from the Thomas Plant, Birmingham, Ala. In the picture next

to this is a group of five men from the Spaulding Mine, Birmingham, Ala. In the lower left hand corner is a group of five men from the Berger Manufacturing Co., Canton, O. In the lower right hand corner is a group of three men from the Canton Culvert Co., Canton, O.)

14 REPUBLIC

AROUND THE CLOCK WITH REPUBLIC PRODUCTS

(The picture on this page is in the middle left hand side of the page and pictures a group of women making Enduro Steel and is captioned "Enduro Turns Factories Into Show Places.")

The products of the Republic Steel Corporation blaze a clean cut trail through every hour of modern life, whether it be in the city, on the farm, at sea or in travel between one place and another. They serve the builder, the mechanic, the engineer, the farmer and the housewife with a faithfulness that provides inspiration for all who have helped to make Republic the world's outstanding producer of alloy steels and irons in addition to a large producer of carbon steels.

From sun-up to sun-up, Republic's wares are with Mr. Average Man. Spend a day with him and see how many times they cross his path.

He wakes up in the morning to the tune of an alarm clock, encased in Enduro stainless steel. Heat is already coming up into radiators cast from Republic's pig iron, thanks to the automatic stoker with shafts and forgings of Republic alloys.

He hops out of a bed whose springs have been formed with Republic spring wire, and whose decorations may be Enduro stainless steel. Into a bath, he is refreshed by water drawn through plumbing of Toncan Iron pipe. The

early morning plane zooms over head with forged engine of Republic alloys and structural parts drawn to exact dimensions by the Union Drawn Steel Co.

Breakfast, with coffee piping hot in a shining Enduro stainless coffee pot, comes in off a range built of Republic's pig iron, Toncan enameling stock, Upson bolts and nuts and galvanized sheets. The coffee is stirred by a spoon of Enduro when it reaches the cup. Then he is off to work.

Whether he goes by automobile or street car, Republic helps him along the way. Riding an auto, he will find the body metal pressed from steel rolled in Republic sheet mills, springs of Republic's Agathon alloys and parts and gadgets of Enduro stainless. The car may even carry license plates that had their origin in ore shipped down from the Lake Superior mines on Republic's fleet.

If he rides the street car, his ride is over rails held in their places by tie plates, spikes, bolts and nuts from various of the company's plants.

If our Average Man works in a factory, he is surrounded by machine tools, conveyors, power units and materials incorporating a large assortment of special irons and steels produced by Republic, to resist corrosion, withstand abrasion and retain their strength at extreme temperatures.

If his is an office position, he relies on steel filing cabinets from the Berger Manufacturing plant to keep his papers in order, sits at a desk of steel from the same plant and uses miracle working business machines whose more intricate parts are fabricated from Enduro stainless steel. There may be pneumatic tubes for intercommunication between departments, built of Republic Electric Weld pipe, and the office, if it is in a modern many-storied structure, is sure to have tons of Republic products somewhere within

its walls, as framework, door bucks, lathe, plumbing and conduit.

Likewise, if he works on the railroads or aboard vessels on the Lakes, he rides steel clad carriers whose plate may have come from Republic. If he works on the soil, tools by which he gets the maximum harvest are of Republic steel. If he is in the construction trades, his materials are largely steel.

At the end of the day, as he turns homeward, the colorful enameled filling station, built of Republic's special enameling iron and Enduro stainless steel from top to bottom, catches the eye of the man who drives a car. It is a reminder of a gasoline tank nearly empty, so Mr. Average Man drives in to put five gallons in his car.

Behind his motor fuel lies a whole network of Republic's iron and steel, from the distant oil well where the crude was taken from the ground, through miles of pipe line and into a storage tank of heavy plate. Before the oil reached the point of usefulness as anti-knock gasoline and

(This page contains a picture in the upper right hand corner showing the process of lining barrels with Enduro and is captioned "Enduro Lines Barrels for Fruit Products")

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motor oil, it passed through great lengths of corrosion resisting Republic steel tubing from Steel & Tubes, Inc., in refining and cracking processes.

Streets on the way home look different. Fronts have been altered with the application of Enduro at the restaurant and a hardware store where nails, tacks, wire, nuts and bolts, and scores of other Republic products are on

sale. A new steel frame house is taking shape, with materials from the Berger plant.

At home, dinner reflects the use of Republic's iron and steel at many points in preparation of the family fare at Mr. Average Man's. Kitchen utensils of Enduro stainless send food to the table with a maximum of flavor and truly hot. Soup comes out of a can formed from Republic's tin plate. Milk comes pure and cold, having been pasteurized inside tanks lined with Enduro stainless steel and then cooled in a refrigerator of Toncan iron construction.

When the meal is over, it takes just a few minutes to clean up, so simple is the job of doing Enduro pots and pans after cooking.

In a cushioned chair resilient with Republic spring wire, Mr. Average Man spends an evening between books and radio. The lamp, drawing current from distant dynamos via Steeltubes conduit right into and through the house, throws its clear light across a table, reflected on the mirror-like surfaces of Enduro stainless ash tray and book ends.

Voices are drifting in through the steel-clad loud speaker from radio towers fashioned from Republic structural sections. Even the Sil-con electrical strip in the transformers is Republic's. The press radio bureau reports on Admiral Byrd from Antarctica, and something about the CCC. Byrd's first polar ship was equipped with Toncan Iron boiler tubes and CCC boys have been eating food prepared on Toncan Iron ranges for a year.

Music pours in from Radio City, where the air-conditioning system utilizes miles of Toncan Iron pipe and welding fittings. It is a cigaret broadcast for smokes that roll from Toncan Iron tobacco storage bins into Enduro stainless steel machines.

Soon it is time for Mr. Average Man and his family to call it a day. They turn the steel bolt on the door and then wend their way back again to rest on springs drawn from Republic steel.

Steel—with Republic in the pioneering front rank—has remade the world.

It has revolutionized the manner of doing and making things within a quarter century.

There is no limit to what it may do further, in the next twenty-five years, to add to the comforts and conveniences of human life.

THE YEAR'S ACCOMPLISHMENTS UNDER THE REPRESENTATION PLAN

(Continued from Page 3)

Furthermore, it works throughout the steel industry. It is quite interesting that figures showing the results of a year's operation of the Employee Representation Plan in the steel industry as a whole are very similar to those covering the operation of the Plan in Republic.

The American Iron and Steel Institute made a survey of the operation of Employee Representation Plan in thirty-five leading steel companies employing (at the time of the survey) about 320,000 workers. The questions raised naturally covered much the same ground as those raised in Republic. The cases discussed totaled 12,709. Of these, 71.1% were settled in favor of employees, 16.3% in the negative, 6.8% compromised, and 5.8% withdrawn, leaving 663 cases pending.

In short, the Plan functions throughout industry in much the same way as it does in Republic.

Why the Plan Works

The employee Representation Plan works because it is a simple, direct and immediate method of handling things.

Any employee can raise any question he wants to. Any employee representative can bring forward anything he pleases.

Employee representatives and company representatives are men who know each other, who know the employees personally, and who have a first-hand working knowledge of the questions under discussion. Problems are taken up and thrashed out over-the-table, man-to-man.

Under the Employee Representation Plan, we may look forward to a still further development of mutual understanding that works to the common good.

(Back Cover)

SOME OF THE THINGS THAT INTEREST THE PHOTOGRAPHER WHEN HE VISITS REPUBLIC

(This page is composed entirely of pictures of the various processes in steel making at Republic. In the upper left hand corner under the title is a picture captioned "Charging an Open Hearth." In the upper right hand corner is a picture captioned "Stripping Ingots." The pictures in the middle of page reads "A Bessemer in Action." In the lower left hand corner the picture is captioned "Loading Scrap with Twin Magnets." In the lower right hand corner the picture is captioned "Coke Ovens.")

BOARD'S EXHIBIT NO. 73

PROGRAM OF THE ANNUAL CONFERENCE
under the
PLAN OF EMPLOYEE REPRESENTATION
REPUBLIC STEEL CORPORATION
Youngstown District
REPUBLIC STEEL
Emblem

Youngstown Club — April 7, 1936
Dinner — 6:00 P. M.

Presiding

C. H. Elliott — District Manager

Speakers

Martin Murphy — General Chairman

Chairmen of Committees

Walter Larson — Rules, Ways and Means
John Guest — Wages and Working Conditions
James Maughan — Safety and Welfare
Martin Murphy — Appeals

Conference

Program Committee

Joint Committee on Rules, Ways and Means

Walter Larson, C. C. Edwards, Warren Clever, A. P. Thompson, S. Keenan, F. W. Cramer, Charles Amon, Roy Case, Steve Rakocy, R. Stevens.

R. N. McCoy — Management Representative

General Body of Employee Representatives
1935 - 1936

Martin Murphy — General Chairman
Carl Walsh — Vice General Chairman
James Maughan — General Secretary

Walter Larson, Matthew Price, Stephen Joyce, Charles Amon, Harry Cohen, Phil Cuccarese, John Anderson, A. J. Keeling, J. B. Potter, Ferd. Moschellia, Thomas Lamb, Stephen Rakocy, John Guest, John Fekety, A. Malamisura, Jack Meadows, P. L. Murphy, Warren Clever, Joseph Smith, George Cabin, James Welsh, Ralph Mondora, Jay Harman, Edward Reeder, S. Keenan, Roy Ague, L. Laney, Joseph Troll.

BOARD'S EXHIBIT NO. 74

CENTRAL COUNCIL

Members of Central Council shall be composed of delegates of duly elected Employee Representatives to be elected by the General Body, viz:

District or Plant	*Delegates*
Cleveland	2
Canton	2
Massillon	2
Buffalo	2
South Chicago	2
Warren	2
Youngstown	2
Dilworth-Porter (Pittsburgh)	2
Grand Crossing	1
Moline	1

Officers of the Central Council shall consist of Chairman, Vice-Chairman and Secretary, to be elected by the delegates to the Central Council, such officers to hold office until their successors are elected.

The Central Council shall meet semi-annually, preferably during the months of January and July, and special meetings of Central Council may be called on joint approval of the Chairman.

BOARD'S EXHIBIT NO. 75

REPUBLIC STEEL CORPORATION

Youngstown District

Messrs: John Anderson, Ed Bogan, H. K. Butler, Geo. Campbell, Dave Chapman, George Cabin, Warren Clever, Harry Cohn, A. H. Coughlin, John Guest, Harry Guiles, G. J. Hughes, Jack Jones, A. J. Keeling, J. A. Keenan, James Kelly, Thomas Lamb, Lawrence Laney, Albert Leyshon, Ralph Mondora, Ferd. Moschella, Mart Murphy, Robert Owens, Matt Price, J. L. Smith, Joseph Troll, Peter Urick, Ameal Valley, Geo. VanAllen, Andy Vojack, James Welsh.

Gentlemen:—

The Fourth Annual Conference of Employee Representatives will be held at 12 o'clock noon, April 5th, 1937 at the Tod House.

Luncheon will be served promptly at noon and any loss of time preparatory to attendance will be taken care of.

Please arrange to be present at the appointed time and place.

R. N. McCOY

3-29-37

BOARD EXHIBIT NO. 76

JOIN THE C. I. O. AND HELP BUILD A SOVIET AMERICA

FOURTH EDITION

The
Constitutional Educational League

is just what its name implies—an educational organization with a patriotic objective.

Red critics, within and without the CIO, will charge that the League is a "strike-breaking agency"—a "manufacturers' outfit"—an "anti-union racket." All of which, of course, is just so much buncombe.

Since 1919, the League has been engaged in combatting the Red elements through the medium of the printed and spoken word. In this endeavor it has enjoyed the cooperation of loyal American labor. High officials of the A. F. of L. have written for its publications and have spoken from its rostrums.

Even officials of John L. Lewis' United Mine Workers of America have been featured speakers under its auspices and have assisted in its campaigns.

(Send stamps for free pamphlets and literature)

(Union label)

JOIN THE C. I. O. AND HELP BUILD A SOVIET AMERICA

A Factual Narrative
by
JOSEPH P. KAMP

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CONSTITUTIONAL EDUCATIONAL LEAGUE
INCORPORATED
New Haven, Connecticut

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CAPTION

JOHN L. LEWIS, Chairman, CIO
***"well known traitor to labor"**

COMMUNIST HONOR ROLL 1937
(Soviet Emblem)
STALIN
"presented new Soviet Constitution"
EARL BROWDER
"fights for Farmer-Labor Party"
LARGO CABALLERO
"head of People's Front in Spain"
JOHN L. LEWIS
"heads the CIO"
TOM MOONEY
"his case in critical stage"
HOMER MARTIN
"in drive to organize auto industry"

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*(Footnote: This is the opinion of an active organizer among the auto workers. The quotation was taken from an article on union strategy which appeared in the April, 1935, issue of the *A. F. of L. Rank and File Federationist*, an unofficial publication sponsored by the same elements which are now hailing Lewis as their leader. In the picture above, Lewis is seen speaking over station WEVD, named for America's outstanding revolutionary, Eugene V. Debs. (International News Photo.))

KRHYPNIN

"head of Soviet aviation"

The above "roll of honor," appeared, with pictures, on the front page of the *Western Worker* on January 7th, 1937. This newspaper is the "Western Organ of the Communist Party, U. S. A. Section of the Communist International."

Introduction

It is hard to imagine free American workers cooperating in a scheme to Sovietize America.

It is difficult to comprehend that they would help in any manner, shape or form to bring about the overthrow of the American system which has given them so much—the highest wages, the shortest working hours and the highest standard of living in the world.

It is inconceivable that they would, willingly, allow themselves to be used as dupes and pawns in the pernicious game of Communism.

It is almost beyond belief that they would do anything so un-American.

The CIO has come forward as their latest "saviour." It promises to do big things for them. It promises everything under the sun that labor could ever hope for—and then some. It boasts of "victories"—but, so far, the main fruits of its efforts have largely been lawlessness, sabotage, *riots, bloodshed, and huge wage losses. Workers, of course, were the principal victims!

---

*(Footnote: "Next time the strikers will be armed with guns," said CIO organizer Victor Reuther, during a recent disturbance in Flint.)

The American worker, who is paying the bill in blood and dollars, is entitled to know just what is behind it all. He wants to know—and should be told—Who are these "labor leaders?" What have they done in the past? Where do they get their ideas? Just what are they trying to do?

These questions and others equally as important are answered herein.

To charge that the CIO is helping to pave the way for a Soviet America may seem fantastic, but it is true, nevertheless. Many other charges, every bit as serious, are made and PROVEN in the following pages. The evidence is presented and it speaks for itself. **That it is authentic—that it can be depended upon as being truthful—is supported by the REWARD offered on the back cover of this booklet, to ANYONE who can prove that a single misstatement of fact has been included in the charges made against the CIO and its leadership.**

The only phase of the situation that cannot be explained is WHY John L. Lewis repudiated his previous anti-Communist stand, and now works hand-in-glove with the disciples of revolution to help create a movement which he, himself, predicted, some twelve years ago, would pave the way for the destruction of our government by the Communist forces.

If, as a result of reading this narrative of strange facts, American workers are convinced that control of the CIO is in the hands of REDS whose principal interest is the overthrow of the American system and the establishment of a Soviet America, it is certain that they will repudiate the CIO and condemn it to oblivion—its deserved destiny.

JOSEPH P. KAMP

Published
MARCH, 1937

Second Printing—March, 1937
Third Printing—April, 1937
Fourth Printing—May, 1937
(All rights reserved)

I. "Hand-in-Glove"

"We didn't have the heart to end the strike. We were so happy to have strikes, we didn't want to end them."

That is what Jack Stachel, leading Red agitator, reported to an Extraordinary Conference of the Communist Party in New York, when he explained the successful development of a new Communist tactic—the sit-down or stay-in strike.

"The workers struck and remained inside the factory and forced a compromise with their demands," he told the Central Communist Committee, in describing the details of a Communist-led Grand Rapids strike terminated two weeks before.

That was in July of 1933, almost four years ago.

So you see the "sit-down" wasn't imported from France, after all. It's a carefully developed technique of Communist strategy and at the moment they're using it for all it's worth.

Now, Jack Stachel, still on the Central Committee of the Communist Party, is a CIO director in Pennsylvania, and the whole country, from coast-to-coast, is plagued with sit-down strikes. The *auto strike, most devastating of them all, shut down the auto plants for seven weeks while

*(Footnote: The auto strike "is only the first en-

John L. Lewis, self-imposed would-be dictator of all auto-workers, prolonged the costly controversy and appeared quite happy about it. He, too, did not seem to "have the heart to end the strike."

Public opinion alone forced a settlement, with both sides claiming to have won a victory of sorts. But--

Regardless of any apparent advantage gained by either of the opposing forces, it will be obvious to honest, clear-thinking observers that, on both sides, ***everybody lost**—that is everybody but John L. Lewis.

---

gagement in a war between labor and finance," says John L. Lewis.)

---

*(Footnote: "The auto strikers have gained a significant victory," says an editorial in the Communist *Daily Worker*, "it is a triumph for the policy of militant industrial unionism."

"I can express regret that the automobile workers failed to secure recognition for their own group," said William Green, President of the A. F. of L. "The whole army of labor is injured to some extent when a division of labor sustains a defeat."

"Hell, I've heard that before," declared CIO strike leader Bud Simons when told of the terms of the settlement. "That won't do for the men to hear. That ain't what we're striking for."

"The agreement," said Alfred P. Sloan, Jr., President of General Motors, "as to the terms under which General Motors will negotiate with the U. A. W. A. is in complete accord with the principles on which General Motors has stood since the beginning of this unfortunate controversy which, like all industrial disputes which interfere

Personally, Lewis had nothing to lose. In a sense, he was the perfect example of the Marxian proletarian who has "nothing to lose but his chains", only in John's case they were not chains of wage-slavery but tire chains on his Cadillac limousine.

John Lewis couldn't lose. Whatever the cost to labor—to industry—to the country—John Lewis was determined to make a name for himself.

In fact, he is destined to receive an appropriate reward for his efforts. The Communists who were praying (to Lenin, if not to God) for a CIO victory, took care of that little detail long ago.

It may be that John L. Lewis is not a Communist, and the auto strike may not have been planned in Moscow. Yet, many months before there was even a suspicion of unrest in the prosperous, high-wage paying motor car industry, a very significant step was taken in the Red capital. In order to conform to Communist plans to overthrow our Government, and establish a Soviet America in its place, the map of the United States was redr vn, and the names of its principal cities were changed.

The City of Detroit was renamed LEWISTOWN.

This is no figment of the imagination, and neither is it a deep, dark, well-hidden secret. The map was made for the world to see, and even now it is proudly displayed in the Moscow "Museum of Revolution."

This does not necessarily prove anything. Still, when it is recalled that the Building Trades Department of the American Federation of Labor, at the Tampa convention, charged that the CIO was "*communistically inclined and*

---

with production, has resulted in a staggering loss to everyone concerned.")

controlled," and also when it is noted that President John P. Frey, of the Metal Trades Department, told a convention of machinists at Milwaukee that "On orders from Moscow, the Communists are advocating the Committee for Industrial Organization set-up as a step towards the United Front which has caused discord in France and Spain"—it IS something to think about.

Some may insist, perhaps, that these statements should not be taken at their face value. After all, Lewis' former A. F. of L. colleagues are antagonistic to him and his CIO. They are deeply concerned in maintaining the supremacy of their traditionally American unions in the face of his "industrial union" threat. It is true they are interested parties. They might, possibly, be biased in their observations.

It is curious then that a somewhat similar charge should be made by a high official of a CIO affiliate—the very union that the CIO was organized to help—the Amalgamated Association of Iron, Steel, and Tin Workers. It was at the Pittsburgh convention that Louis J. Leonard, International Secretary, declared:

"We know that Communists are making the most serious threat we yet have faced to gain power in our union. They are turning every stone possible and are working *hand in glove* with those strange bedfellows, Lewis and John Brophy, in the (CIO) industrial committee."

Disregarding the motives and the personalities involved, these charges are either true or false. The interesting thing is that, so far, they have not even been denied.

On the other hand, it is known that Lewis has grouped around him, in the CIO organization, many agitators who were, or still are, leaders in the Socialist, Communist, IWW, and Anarchist movements. In fact, his own union,

the United Mine Workers, just a few years ago, branded his two most trusted CIO lieutenants, John Brophy and Powers Hapgood, as agents of the Communists, and intimated that one of them, at least, was in the direct pay of Moscow. They were busy, at the time, organizing a Communist group within the miners' union called the "Save the Union Committee."

"For months past," said the United Mine Workers *Journal*, on May 1st, 1928, "the 'Save the Union Committee' under the leadership of John Brophy, Patrick Toohey, and Powers Hapgood and a few others has been doing its dirtiest to capture the United Mine Workers and to transform this splendid union into a Communist organization. In carrying out this campaign, the 'Save the Union Committee' has had the full and complete support and assistance of the entire Communist element in America and foreign countries, including Russia."

In another editorial blast the Miners' *Journal* declared that the "Save the Union Committee" became "extremely busy in its efforts to wreck the United Mine Workers shortly after John Brophy returned from Russia . . . the very minute he came back . . . it seemed to have plenty of money . . . It should not be difficult to guess where a part of the money came from to finance the campaign of destruction."

Lewis, himself, in the early twenties; was extremely critical of the type of organization which he now espouses. At that time he warned that "industrial unions" would enable Communist forces to make every local strike a general strike, terminating in national strikes—enveloping all industry. In stirring language, he declared that through such general strikes the nation could be turned into a bedlam of riots and civil warfare to set the stake for the overthrow of the Government by the Communist forces. In his typical belligerent and two-fisted manner he attacked

Brophy and Hapgood and William Z. Foster, who was then leading the Communist campaign for industrial unionism.

He even caused an investigation to be made and submitted to a United States Senate Committee a report on the "attempt by Communist to seize the American labor movement." In this document it was charged that Communists were trying to wreck his miners' union by "conversion of all craft unions into single units of workers within an industry known as 'industrial unions' with coordination under a super-soviet union owing allegiance to, and accepting the mandates of the Communist Internationale and its subsidiary, the Red Trade Union Internationale, at Moscow."

At the present time, similar industrial unions, under Lewis' leadership, foment local strikes, which become general strikes, in effect, and assume national proportions. His industrial unions have caused riots—they have brought communities to the very brink of civil warfare. He has seized a goodly portion of the American labor movement, and high in his directing councils, at his right hand and at his left, sit the self-same radicals, which he, himself, branded as agents of the Red Internationale.

The accusations that Lewis made against John Brophy, Powers Hapgood, and William Z. Foster, years ago, were true in every detail. His characterization of "industrial unionism" was correct in 1924, and still holds good today. When, therefore, these individuals, together with other Communists and radicals of every stripe and hue, now cooperate with him in furthering the identical "industrial union" program which he warned against twelve years ago, it must be concluded that John Lewis has gone over to the enemy camp.

The fact is that John L. Lewis has become the leader

of the radical forces. Today, he is the little "white-haired" boy of the Communist movement—and it is behind him, officially, one hundred per cent.

William Z. Foster, whom Lewis denounced so bitterly, and who, in turn, was brutally severe in his criticism of Lewis until shortly before the CIO was organized, is now the leader of the Communist movement in America. He is to this day a representative of the Communist Internationale, identified as America's arch enemy in the aforementioned report to the Senate committee. He speaks with full authority for the Communist movement, both here and abroad.

"The CIO," says Foster, in a fulsome tribute, "led so aggressively by John L. Lewis, is doing an historically important thing . . . The CIO has become the actual leader of the trade union movement . . . The Communist Party heartily supports the CIO organizing campaigns in steel, automobile, rubber, glass, textile, etc., and mobilizes all its forces to assist in this work."

John L. Lewis repays the compliment by putting good Communist organizers on the CIO payroll; by utilizing known Communists in his organizing and strike campaigns; by openly cooperating with Communist and Communist-controlled organizations; by hiring representatives of the Communist defense movement as "counsel" for his unions; by using the Communist official organ as a mouthpiece for exclusive statements; and by writing for Communist and pro-Communist magazines.

Furthermore, his CIO has been most helpful in carrying out the "industrial union" and "boring-from-within" program laid down by the Central Committee of the Communist Party in January, 1935.

And finally, instructions from the Congress of the

Communist Internationale, issued just two months before the CIO was born, have been followed with dispatch by Lewis and his revolutionary aides.

What Lewis' motives are, no one knows but himself. It could be that he merely intends using the Communist to advance his own fortunes—politically or otherwise. Then again, he may have had a real change of heart since the days when he battled with the Red forces and was taught to respect their power. Now, he may actually believe that he can reach his objective. whatever it is, the Communist way.

But, if he expects to out-smart his new-found Communist friends—he's got another guess coming. He is no match for the collective ability, shrewdness, and unscrupulous scheming of the Communist high-command. They are playing ball only because they expect to take over the leadership of the entire labor movement. Whether they hope to acquire control through Lewis or to wrest control of labor from him, is beside the point. In the end, by fair means or foul, directly or indirectly, they expect to be in command.*

As for the present, with John L. Lewis working "hand in glove" with them, and helping to advance their

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*(Footnote: On April 6th, 1937, a month after this booklet was first published, the Communist weekly, the *New Masses,* declared:

"As the CIO awakens and co-ordinates the working class, Lewis must either keep pace (and he has done so brilliantly up to now), or give way to the more far-sighted men who will not be deterred even should Lewis suddenly cry 'halt'.")

program, the Communists are slowly but surely extending their control over hapless American workers.

Three Photographs: John Brophy, Executive Director, CIO; Powers Hapgood, Field Representative, CIO; Adolph Germer, General Organizer, CIO.

*"'Fakirs, repudiated leaders, traitors to the unions, opportunists and purveyors of every falsehood, slander and deception. . . "

"Carry on the Fight
for a Soviet America"
(Two Photographs) WAL—VIC—

This message comes from two prominent CIO organizers among the auto workers, Walter and Victor Reuther.

This was the word they sent to Comrades Melvin and Gladys Bishop in Detroit, when, in 1934, they were in Soviet Russia preparing for the agitational endeavors in which they have proved themselves so proficient in recent weeks.

In the Soviet auto plant at Abmozavoz, Topkini, they were trained for the appointed tasks by expert prop-

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*(Footnote: This characterization of the CIO's three ace agitators is not the expressed opinion of an "economic royalist," nor is it the studied denunication of an embittered A. F. of L. Leader. These are the words of John L. Lewis. These are the names he publicly called them at the Indianapolis convention in 1930. This is what he thought of the men who are now his most trusted aides—the men who would like very much to make themselves the leaders of ALL American workers. (International News Photos.))

agandists for the Communist revolution. But even then their education in subversive tactics was not complete. On returning to the U. S. they enrolled at Communistic Brookwood Labor College where they learned the fine points of strategy used by the Red forces in America.

Today, Victor Reuther is always to be found where violence flares, whether it be Detroit, or Flint, or Anderson. Walter Reuther does his share, too, as President of the U. A. W. Local 174.

Their joint letter from the "Worker's Fatherland" read in part: "what we have learned from other sources of the rising discontent of the American workers, makes us long for the moment to be back with you in the front lines of the struggle."

Regarding Russia they said: "we are more than just sympathetic toward OUR country (the Soviet Union), we are ready to fight for it and its ideals . . . Carry on the fight for a Soviet America." "VIC and WAL"

II. "Communistically inclined . . ."

There is a reason for everything.

There was good reason why Detroit and Michigan should be selected as the battle-ground for the first major engagement in the current drive for "Industrial Unionism." Likewise, it was no accident that the Communist Commissars of Moscow decided to honor Detroit, of all cities, by renaming it for their newest and most important protege in America—*John L. Lewis.

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*(Footnote: Lewis is now so friendly with the Communists that they send him felicitations on his birthday. "*Sunday Worker* staff sends you birthday greetings,"

It is clear to the initiated that it was intended to do honor to the Detroit comrades of 1919, who were directly responsible for the formation of the Communist Party in the United States.

It was under their leadership that the Michigan delegation broke away from the Socialist Party at the Chicago convention, that year, and together with the Slavic Federation organized the Communist Party.

That this means should be employed to commemorate their contribution to the cause of world revolution is quite fitting, for in the program which they drew up in 1919, the plan to penetrate the A. F. of L. and to organize American workers on the basis of "industrial unionism" was first set forth.

"As against the trade unionism of the American Federation of Labor," the program declared, "the Communist Party propagandizes industrial unionism and industrial union organizations, emphasizing their revolutionary implications. Industrial unionism is not simply a means for the every-day struggle against capitalism; its ultimate purpose is revolutionary, implying the necessity of ending the capitalist parliamentary state. Industrial unionism is a factor in the final mass action for the conquest of power, as it will constitute the basis for the industrial administration of the Communist Commonwealth."

Unlike John L. Lewis and his present day henchmen, the early American Communists were frank and outspoken in stating that industrial unionism was NOT just another

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read a telegram which he received at the Hotel Statler in Detroit, "and congratulates you and auto workers' leaders on significant victory of progressive unionism over powerful General Motors Corporation.")

form of trade unionism. It has "revolutionary implications," they admitted; **"its ultimate purpose is revolutionary,"** they said; it is a "factor in the final mass action for the conquest of power," they declared; and it implies, they asserted, the ending of the "capitalist parliamentary state"—in other words, it implies the destruction of our Government.

This was the beginning of the Communist campaign to "bore-from-within" the A. F. of L.; to reorganize American labor on an industrial union basis; to overthrow the Government by revolution; and to set-up a Communist Commonwealth—or as they currently phrase it—a Soviet America.

During the following three years, Communist efforts to secure a foothold in the A. F. of L. met with considerable success. In fact it was so successful that, in self-defense, the unions were forced to take extraordinary measures to purge themselves of the destructive Communist influence. Literally thousands of Red progagandists were expelled from the unions in 1923 and 24.

Then followed a few lean years during which the red elements were practically at a standstill insofar as results were concerned. They carried on plenty of agitation outside the unions, but with the exception of the Passaic strike in 1926 and a few less important needle trades disputes, they got nowhere. America was too prosperous.

The need for some new strategy was obvious.

It was the activities of John Brophy, Pat Toohey and Powers Hapgood, among the mine workers, that finally paved the way for a new development—the organization of Communist industrial unions. As the outgrowth of their "Save the Union Committee," on "orders" from

Moscow, the National Miners Union, a Red industrial union, was established in the fall of 1928.

Subsequently some fifty-odd Red unions in different industries, with a membership enrollment of hundreds of thousands, were organized by William Z. Foster under the banner of the Trade Union Unity League and affiliated with the Red Internationale of Labor Unions at Moscow.

After the stock market crash the Red unions flowered and were responsible for 90 per cent of the major strikes during the depression years. Foster and his TUUL also organized the unemployed, the bonus army, and many local, state and national hunger marches, with most excellent results from the agitational point of view. When, however, this movement had served its purpose, the Moscow master-minds again turned their attention to the possibilities for renewed activity within the A. F. of L.

Now then, when the Communist determined to re-enter the old labor unions, to take over the leadership of the American labor movement and reorganize it along industrial lines, through the medium of the CIO, is it any wonder that the same individuals, who were so successful in these previous endeavors on behalf of the Red cause, should be selected to play the leading roles in the present campaign?

Today, John Brophy is the Executive Director of the CIO, while Powers Hapgood is the ranking functionary in its field organization. To Pat Toohey, now District Organizer for the Communist Party in Pennsylvania, must be given credit for the success of the CIO's first real strike effort—the RCA-Victor strike at Camden. William Z. Foster, presently the outstanding American Communist, is the "brains" behind the CIO organization drive in the steel industry. In 1919 he directed the previous steel strike.

Now, he plans the strategy of the new campaign, and his instructions are being carried out to the letter.

It is a simple matter to discover the pertinent "orders" of the Communist Internationale and the Central Committee of the Communist Party, U. S., and to trace the successive steps—not only in their scheme to penetrate the A. F. of L., but also in the organization of the CIO and the direction of its activities.

Likewise, the directions issued through official Red organs and through Party leaders, which have a bearing on the CIO campaign, are definite and to the point, and their effect is easily noted.

Speaking for the American Communist Party on January 1st, 1935, Alex Bittleman, member of its Central Committee, declared:

> "On this, the eleventh anniversary of Lenin's death, we renew our pledge of allegience to the struggle for a Soviet America."

At the same time, Max Young, another spokesman for the Party, reviewed the achievements of the previous year and looking to the future asked the question: "How is the Party fulfilling its main task? Concretely, how is the Party preparing the proletariat for the overthrow of capitalism—for the seizure of the factories. . . ."

The answer was not long in coming.

On January 15th, the Central Committee met at Red headquarters on 13th Street in New York, and in a resolution declared there were "new and great possibilities of revolutionary mass work" within the A. F. L. unions. Accordingly, it decreed that "existing revolutionary trade unions (Red industrial unions) and their locals join the A. F. of L. or its unions" and also that "in those cases

where collective joining is not possible, members of the Red unions should join the unions of the A. F. of L. individually."

After fusion, the resolution directed, the A. F. of L. unions were to be treated "as mass workers' organizations in which we are carrying on a struggle for winning the masses to the revolutionary struggle."

"*The Party must take the initiative,*" the Central Committee decided, after considering the make-up of the A. F. of L. unions, "*in the struggle for their industrial structure.*"

Then bluntly and frankly it declared: "The Communists and other advanced workers must develop a wide strike movement."

So, in early 1935, began the infusion of unruly Red blood into the A. F. of L.

So began the recent agitational urge for Industrial Unionism.

So was the groundwork laid for the "wide strike movement" which today threatens the earnings of workers and the promising wave of returning prosperity, as well.

During the ensuing months the campaign of interpenetration was carried on apace, and then in August, 1935, the Congress of the Communist Internationale met in Moscow. Late in the month, when the matter of trade unionism was considered, acting on the report of Secretary Georgi Dimitroff, the Congress advised their American comrades:

> "Emphasizing the special importance of forming a united front in the sphere of the economic struggle of the workers . . . the Congress makes it a duty of

the Communists to adopt all practical measures for the realization of the unity of the trade unions by industries and on a national scale."

This was the order to get busy. Reorganize the "trade unions by industries"—create industrial unions! Now, it had to be done pronto—the little Lenins of Moscow had decreed it as a "duty."

In a little more than a month's time some 400,000 copies of these "orders from Moscow" were distributed by the faithful in America. Then came the A. F. of L. convention at Atlantic City, and John L. Lewis emerged in his new character as the echo of the Comintern. With the blessing of the American Communist he became the leader of the forces for "industrial unionism" and proceeded to do his utmost to advance this program, laid down by the Communist Congress, a brief period of weeks before.

He further endeared himself to the Red forces when he led the attack on Matthew Woll, long the leading spokesman for the anti-Communist and pro-American elements in the A. F. of L. For years, the National Civic Federation was most active in fighting the Communist, and Matt Woll was its acting President and mouthpiece. Through the insistence of Lewis the convention declared that no officer of the A. F. of L. could be an officer or member of the Civic Federation. Woll was forced to resign. The Communist applauded gleefully and Lewis won his spurs as their champion.

However, Lewis' resolution to commit the A. F. of L. to industrial unionism was defeated by a vote of almost two to one, but before the convention was over a conference held in his hotel room decided the future plan of action, and within a month—in November, 1935, the forma-

tion of the Committee for Industrial Organization was announced.

Immediately, the behind-the-scenes mechanism in the Communist movement went into action. The Central Agit-Prop (agitation propaganda) Commission prepared voluminous material to bolster the drive and on every front the Communist forces rallied support to Lewis and the industrial union cause.

A model speech, as an example, was sent out to every Party leader in the country, just a few weeks after the CIO was established. A few passages are illuminating:

> "We here in America must follow in the footsteps of Lenin. . . . We must make it clear to tens of millions of workers and farmers that the revolution in the U. S. A. is inevitable, and that only the overthrow of capitalism will secure for them a decent life of abundance. . . . Capitalism can be overthrown by the armed uprising of the people headed by the working class under the leadership of its Bolshevik Party. . . . Lenin teaches us the great, the paramount importance of the Communist Party. Lenin teaches us further that it is not sufficient to have a strong Communist Party. It is necessary to have strong labor unions capable of offering resistance to the employers and of taking the offensive . . . this can be realized only when the unions are built on the industrial basis."

Then, shortly after the beginning of 1936, when the break between Lewis and Green occurred, the Communist Central Committee decided to come into the open. It issued a public statement:

> **"The Communist Party stands firmly on the side of those progressive forces which are fighting for industrial unionism."**

A short time later, a 48-page booklet by William Z. Foster, entitled *Industrial Unionism,* made its appearance. It was the first of a series of booklets on CIO strategy. It was mild in comparison with later efforts—he was just getting warmed up. The booklet dealt mainly with the history of industrial union activity—stressed the need of it, particularly from the revolutionary viewpoint, and politely set forth "the next steps."

Foster offered one suggestion in this vein:

> "In France a mighty People's Front was built up with the trade unions in the forefront . . . the trade unions of France have been merging themselves into strong industrial unions. The result is that the French fascists (anti-Communists) have been taking one whipping after another. . . . That's the kind of treatment we must dish out. . . ."

By the middle of June, when the *National Convention of the Communist Party met in New York the industrial union drive

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*(Footnote: The make-up of the ninth Communist Convention was illuminating. As to the delegates, the *Daily Worker* of June 30th, 1936, has this to say:

> "Two hundred and thirty-three (out of a total of 320), or 70 per cent of the regular delegates belong to various American Federation of Labor Unions. Eighty-five of these delegates are holding executive offices in unions, such as president, secretary, business agent, etc. . . . A total of 215 have been arrested for labor activities."

In explaining this situation, John P. Frey, head of the metal trades department of the A. F. of L., told the Tampa convention in September: "Unfortunately within

had been so successful that the comrades were jubilant over the situation. They analyzed their part in the campaign and in a convention resolution resolved that: "Our struggle . . . has made important progress."

Much of the convention's time was devoted to the consideration of further plans to advance what had become the Party's all-important "cause." Enthusiastically, it outlined new demands and new tasks for the CIO, and reported to its membership—and to the Moscow master, too—

> **"The movement for industrial unionism . . . is making big headway."**

FORMER SOVIET OFFICIAL JOINS THE CIO STAFF

Pittsburgh, Pa.—Among the CIO Organizers recently appointed for duty among the steel workers in this District, is Israel Berestein, alias Boris Israel, alias Blain Owen. Mr. Berestein is well known in Communist Circles from coast to coast, having at one time been the Pacific Coast Representative of the Amtorg Trading Corporation. The Amtorg Trading Corporation is an official agency of the Soviet Government, set up in the United States ostensibly to facilitate trade between the two countries. How-

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the last year, the door has been opened by the CIO Committee for Communist workers to join the unions. It is immaterial whether this open door was the result of deliberate purpose, indifference or inability to stem the tide, but what the trade union movement is now forced to realize is that a trade union door has been opened."

ever, a former official of the corporation admitted before a Congressional Committee, that the organization had engaged in propaganda activities, and, in one connection alone, spent in excess of [end of reprint].

TEN YEARS OF LEWIS' LEADERSHIP

By

John Brophy, Powers Hapgood, Adolph Germer, et al.

"When John L. Lewis took the office of international president in 1919 our union boasted over half a million members . . . Today the organization is completely wiped out in Kentucky, West Virginia, Alabama and Tennessee. Of the 170,000 bituminous miners employed in the great coal state of Pennsylvania less than 1,300 are now members of our union. In Ohio a membership of 40,000 has shrunk to a pitiful remnant of less than 1,000. The former membership of 7,000 in Missouri has shriveled to 300. Arkansas, Oklahoma and Texas are completely lost . . .

"The history of the United Mine Workers of America under the regime of John L. Lewis has been an unbroken series of defeats and calamities throwing hundreds of thousands of our members and their families into the depths of poverty and destitution."

Footnote

(To the opposite page)

Unfortunately, John Lewis cannot blame this story record on the depression, for the indictment was written just before it began. These words were taken from a "call" issued by Brophy, Hapgood, Germer and others for a "secession convention" held at Springfield, Illinois, in March, 1930, for the purpose of reorganizing the miners' union and getting rid of Lewis.

It is true, the miners' union is strong today. On its last legs in 1933, it was the NRA code for the coal mining industry that gave it a new lease of life and revived it, in spite of John L. Lewis and his bungling leadership

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TWO TYPICAL CIO LEADERS

An alien law-breaking Red, JOHN ANDERSON, was the Communist Candidate for Governor of Michigan in 1934. Today he rates among the foremost of the CIO agitators. Officially, he is organizer for U. A. W. Local 155.

Two years ago, he was in Russia, learning the newest wrinkles in the art of fomenting the class war. Now he is a trusted aide to CIO Organizational Director Frankensteen. In the Communist Organization, he has held many important offices. He was secretary of the International Workers' Order, a member of the District Committee of the Communist Party, and last year, was made a member of the District Bureau, the highest ranking tribunal in the Communist set-up.

NAT GANLEY, alias Nat Kaplan, has for years been a National figure in the Communist Organization. He once held the important position as District Organizer in Boston, and was such an effective agitator, that he was made National Organizer of the National Textile Workers' Union, a Communist affiliate. Then, Wm. Z. Foster appointed him General Organizer for the Trade Union Unity League, and sent him to Detroit to build the Red "Industrial Union" movement. Among the Organizations he formed were the Chicken Pickers' Union, the Fur Workers' Industrial Union, and the Sausage Workers' Union. Even now, he is an instructor at the Red People's School, in Detroit.

He has been active in practically all of the CIO Strikes

around Detroit, and officially, is Recording Secretary of Anderson's U. A. W. Local 155.

Communist Party of the U. S. A.
(Section of the Communist International)
Membership Book No. 26768
for
Name, Nat Ganley.
Date Admitted to Communist Party, Charter.
Entered Revolutionary Movement, ...
District, 7. City, Detroit.
Section, ... Shop or Street Nucleus, ...
Signature of Member (in ink), ...
This Book was issued on Jan. 1, 1935.
William W. Winstone,
Signature of District Organizer and Party Seal.

(Seal)
Initiation Stamp
No Party Membership Book Valid Unless It Has Party Seal Stamped On
Issued by the Central Committee, C. P. U. S. A.

III. ". . . and controlled"

From top to bottom the CIO literally crawls with Communists. They are among the leaders; they are well represented in the organizing staff; they swarm on important committees; they are to be found in droves among the rank and file—and all of them are busily engaged in carrying out the dictates of their immediate superiors, not in the CIO, but in the Communist organization.

What is more, those CIO leaders who are above suspicion of un-American sympathies, are well aware of the situation, and yet, despite this knowledge, they work in close harmony with the enemies of our Government.

As an example, there is Philip Murray, who is directing the CIO organizing drive in the steel industry. He is reputed to have over two thousand organizers in the field and when the charge was made that too many of them were Reds, he offered no denial, but, instead, airily countered with the question: "Does our Constitution bar a man from citizenship because he believes in Communism?"

What a changed Philip Murray! Just a few years ago he was one of the leaders in the United Mine Workers responsible for the fact that a provision in its constitution bars Communists from membership. Phil Murray didn't like Reds. In turn, he was bitterly hated by the Communists. So much so that in 1931 they attacked a United Mine Workers meeting, just outside of Pittsburgh, at which he was the principal speaker.

THE TITLE OF A COMMUNIST PAMPHLET BECOMES THE SLOGAN OF A C. I. O. PARADE

GET WISE—ORGANIZE

WHAT EVERY YOUNG STEEL WORKER SHOULD KNOW

WITH AN INTRODUCTION BY WILLIAM Z. FOSTER

1. Go to the nearest Steel Workers Organizing Committee headquarters, sign up and ask to be a volunteer organizer.

2. Sign up the men in your department and mill.

3. Get your youth club or organization of which you are a member to go on record supporting the drive. Sign up those of your brother members who work in the steel industry.

4. Be active in the Local you belong. Help organize attractive programs of sports and education to win other young steel workers to join.

5. Read, study and spread all Union literature.

CAPTION

Since the Communist revolution in Russia, factory wall newspapers have been the rage in the Soviet Union. During the auto strike this innovation was introduced to America when a wall newspaper, under the editorship of Onie Feldt, was provided for the sit-in strikers at the Cadillac plant shown in this picture.

"They came armed with clubs and brass knuckles," he said, in describing the affair. "They tore down an American flag and hit an old man who tried to defend it. . . . These few renegades are following a policy of riot and bloodshed, they will soon disappear."

Instead of disappearing, this same element is now honored with important posts in the CIO campaign, while bloodshed and riot become the order of the day under the CIO banner.

Phil Murray was particularly incensed over the treatment accorded the American flag, when it was trampled in the dust of that dry July afternoon. Now, however, he makes no protest—it appears to be perfectly all right for the CIO to desecrate it. Witness another contrasting spectacle—a CIO-directed parade in Flint, with the American flag carried aloft, while from the throats of the marchers, to stir the breeze, come the subversive strains of Communist theme songs.

The attack on Murray was staged by the Red *National Miners Union*, and he charged, at the time, that it had been planned at the Pittsburgh headquarters, where Pat Toohey was in command.

What a difference a few years make!

Last fall, when the CIO injected itself into the RCA-

Victor strike at Camden, it was this selfsame Pat Toohey, now in charge of Communist activity in Philadelphia, who saved the day for the CIO.

Powers Hapgood, Toohey's former co-worker in Communist-sponsored agitation in the coal fields, arrived on the scene as the "personal representative" of John L. Lewis, and nominally took charge of a losing strike situation. But, it was Toohey's right-hand man, Saul C. Waldbaum, Philadelphia representative of the Communist *International Labor Defense,* who was appointed "counsel" to the strike committee and took over actual control of the strike. He signed every public statement on behalf of the union, and no move of any kind was made without his authority. When the strike was settled he was one of three who signed the agreement.

After the CIO moved in, the strike was conducted in typical Communist fashion. There were dramatic and bloody clashes with the police; colorful mass picketing; sensational parades and skillfully staged speeches by imported radical celebrities. There were frequent arrests and defiant court room scenes by synthetic martyrs; sob stories about the brutality of the police and the venality of the courts. And, as usual, the Communist-aiding American Civil Liberties Union was brought in to accuse the harassed authorities of the suppression of constitutional rights.

Among the well-known radical notables who took part in the CIO-Communist field-day was Frank L. Palmer, one-time IWW agitator, former head of the Communist news wire service, the *Federated Press,* and now the editor of a Communist tabloid. After being arrested for inciting pickets to rush the police lines, he was rewarded by having his paper designated as the official organ of the union.

A contributing circumstance in connection with the

selection of his paper might have been the fact that Palmer was a companion of John Brophy on that trip to Soviet Russia.

Ann Damon, member of the Communist Central Committee and head of the women's division of the Party, together with Abraham J. Isserman, New Jersey "counsel" for the Communist *International Labor Defense*, were two other luminaries officially invited to participate in the Red "Roman holiday."

All in all, it was a pretty good "lesson in revolution" and Messrs. Waldbaum and Hapgood were highly pleased with themselves. However, it was the Communist mass support sent over the river from Philadelphia by Pat Toohey, and his expert coaching from the side lines that really put the show over.

This collaboration between the Communists and the CIO was not altogether sub rosa—at least, not insofar as the Communists were concerned. "We are all united," they boasted in *BROADCAST*, the strikers' Communist newspaper.

Editorially, it also explained why the Communists were so consistently right in calling the plays during the decisive days of the RCA-Victor strike. Unblushingly they took full credit for everything. "We were right," they said, "because we are Communists . . . because we have studied and led strikes and struggles thruout the world . . . **because we are the guides and leaders in the labor movement of the United States.**"

At the moment, the CIO looms pretty large on the American labor scene, and if the Communists are the "guides and leaders" of this important unit of American labor, they have a good reason for *boasting.

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*(Footnote: Despite the millions in lost wages, the

In order to clear up the question, it might be well to review, at this time, a few of the suggested "organizing methods" mapped out for the CIO by William Z. Foster on October 1st of last year, to ascertain whether or not these "instructions" from America's Communist No. 1 have been obeyed by Lewis and his aides.

One of Foster's first recommendations was that "supporting committees should be formed among fraternal organizations."

Before a month had passed, a "Fraternal Orders Conference" was called in Pittsburgh, with Philip Murray as the principal speaker and three full-fledged Communists on the program. With the blessings of John L. Lewis, who sent his greetings, a Fraternal Orders Committee was formally organized to spread the gospel of the CIO. And here's the pay-off—the National Chairman and active functionary is Bill K. Gebert, a former leader in Foster's Red industrial union set-up and until recently District Organizer for the Communist Party in the important Chicago district.

This Fraternal Orders Committee was particularly active during the automobile strike, which is altogether understandable when it is disclosed that the Detroit representative of the Committee is John Schmies, former assistant to Foster and one-time organizer of the Auto Work-

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CIO hailed the Akron rubber strike settlement as another "victory." The *Sunday Worker*, Communist organ, too, pointed out that it was "a signal victory—partly due to cooperation furnished by the CIO forces and largely to the realistic tactics of the Communist Party."

In January, 1937, the CIO leaders in the rubber industry sponsored a fund-raising drive in Akron for the "Red Front" in Spain.

ers Union, a Communist organization, active until a few years ago.

"Extend support in building the Workers Alliance" was another suggestion which Foster made to the CIO. It was followed with the advice that "representatives of the organizing crew should visit . . . meetings of the unemployed."

Early in the depression Foster himself undertook to organize the unemployed in what were called "Unemployment Councils." The Socialists and Trotskyite-Communists also had similar organizations. Last spring these three national bodies were combined to form the Workers Alliance. The Communists, of course, dominate the movement.

This Red tinge, however, did not faze the CIO leaders. Lewis blessed the Alliance with a public endorsement and CIO organizers are visiting Alliance meetings religiously. A few weeks ago when a state-wide meeting was held at Harrisburg, it was deemed important enough to have Clinton Golden, a CIO regional Director, make the trip to thank the Alliance for its support to the steel drive and pledge the support of the CIO to the *Alliance.

Foster also advised that "Prominent Negro speakers, including those of the National Negro Congress (organized by Communist), should be brought into the steel dis-

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*(Footnote: According to the *Daily Worker* of February 20th, 1937, a statement issued by the Communist-controlled Worker's Alliance said, in part, "We will give all possible support to the CIO and to other labor groups in their fight to force the recognition of the legality of the sit-down strike, and we shall continue the use of this weapon."

tricts." And sure enough, on February 6th the CIO called together a group of "Negro leaders," in Pittsburgh. At the conference, with Phil Murray, again, playing the principal role, were included James W. Ford, ranking Negro Communist and runningmate with Foster as a candidate for the Vice-Presidency on the Communist Party ticket; John P. Davis, of the National Negro Congress, and Thyra Edwards, recently returned from Soviet Russia where she conducted a three-month seminar.

"The women relatives of the steel workers are a vital factor in the steel industry," declared Foster, when he directed that "They should be organized into Ladies' Auxiliaries."

Although this was an unheard-of innovation in the field of trade-unionism, until suggested by the Communists, the CIO was not long in carrying out the idea. In fact, hundreds of auxiliaries are flourishing today in the steel district as a result of the good work of Margaret Cowl, leading Communist organizer and writer, who is now on the CIO payroll and in charge of this activity.

Her services were also of extreme value in Flint, where the Women's Auxiliary, with their red arm-bands and red berets, played a leading role during the auto strike. To help with the work in Flint, Comrade Cowl used Mary Hillyer, leader in the League for Industrial Democracy, commonly referred to as the "brains" of the Socialist Party, and Mary Heaton Vorse, well-known Communist author.

"The connections of the American Youth Congress (organized and controlled by the Communists) should be utilized," said Foster, and immediately in Chicago 50 members of an affiliate of the Congress, the American Student Union (Communist-Socialist), were pressed into serv-

ice distributing CIO handbills from door to door. The idea of the door-to-door distribution was also a "must" suggestion of Foster's. In both Cleveland and Detroit, American Student Union members did "kitchen police" duty for the sit-in-strikers and marched on the picket-line as well.

The submission of similar incidents could go on endlessly, for, especially in the steel centers, Foster's plan of action is being followed by CIO organizers in almost every particular. It is of interest, however, to note how closely his instructions were observed during the recently concluded auto strike.

Just as the *"sit-downs" began, a new batch of Foster's recommendations, dealing with expected strike problems, came rolling from the presses, and were immediately distributed through Communist and CIO channels. How well they applied to the situation can readily be seen as they are compared with subsequent developments.

"Prominent liberals and others should be brought in-

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*(Footnote: An editorial in the *Daily Worker,* February 26th, 1937, declares: "The Communist Party . . . can feel justly proud of the decisive role played by its own members in the success of the outstanding sit-downs, particularly the battle of Flint."

The same issue quotes the remarks of W. Weinstone, the Michigan District organizer for the Communist Party, to a special conference of organizers in New York. He was reporting on the part the Communists played in Flint and Detroit. "Communist Party members were in the forefront of the strike, Weinstone said. Where the battle was thickest, you could always find Communist Party members, he added."

to the strike areas," observed Foster. "A national citizens' committee, comprising such liberal strike sympathizers—including educators, writers, artists, etc.—should be set up," he directed. A few days after these pointers appeared, the American Civil Liberties Union, from New York, established itself in Flint and Detroit, brought in "liberal" speakers, and began to organize "liberal educators, economists and writers" into a "National Citizens' Committee" to support the strikers.

"Not only should all the strikers be mobilized for picketing, but their women and children as well," wrote the Communist leader. At Flint there was plenty of picketing by both the strikers and their women-folk, but that might be expected in any strike these days. It was the sight of toddling tots bedecked with signs and slogans that gave the strike a very definite Red complexion, for in the past this means of arousing public sympathy has been used in most Communist-led strikes with marked success.

"The national strike committee requires a legal department . . .," said Foster, and he added, "here the *International Labor Defense* can also play an important part." No sooner said than done!—And Maurice Sugar, Detroit representative of the Communist *International Labor Defense,* was appointed "counsel" for the strike committee.

"When *troops are brought into the strike area the strikers must know how to fraternize with the soldiers and thus win as many as possible of them to the side of the strike," Foster counselled.

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*(Footnote: The Communist *Daily Worker,* on February 19th, 1937, reported: "Back in one of the most militant periods of American labor history— during the great railway strikes of 1877—the employers received the scare

WHERE ONE OF THE AUTO PICKETS CAME FROM

Owing to the necessity of helping the auto workers of Detroit in every way possible in the battle they are conducting against the General Motors Corporation, the State Committee of New York dispatched Comrade Ziebel to Detroit to assist our Party there. Only after having been a few days in Detroit, Comrade Ziebel, who immediately got on the picket line and was active in the strike, contracted the illness from which he died.

The Communist Party calls upon its membership to regard Comrade Ziebel as an example of Communist loyalty and devotion, one whom the younger members of our Party could well emulate.

The State Committee expresses its deep sympathy to the wife and family of Comrade Ziebel and urges all Party members and sympathizers to attend the funeral in order to pay the last respects to Comrade Ziebel.

New York State Committee
C. Krumbein, Secretary
I. Amter, Organizer

This clipping is reproduced from the Communist "Daily Worker" of February 9th, 1937.

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of their lives when company after company of the militia rebelled. . . .

"An echo of that history was seen in the Flint auto strike.

"As Guard commanders evacuated three battalions of National Guardsmen from the strike zone last week, some of the militiamen spontaneously burst into a song—a song that sends a spasm of fear through employers everywhere —the union battle song, 'Solidarity Forever.' "

It is no secret that every means was employed to influence the National Guardsmen. Some idea as to how successful the strikers were can be imagined by considering an incident reported in the magazine *Champion*. While telling of events at strike headquarters, Arthur Clifford writes: "A call came in from a National Guardsman . . . he was calling for 200 union buttons. He had half the company organized."

Under these circumstances the strikers could well afford to feel perfectly safe in flaunting the law. Anyway, court orders meant nothing in their lives. Hadn't Comrade Foster explained just what was to be done in such an eventuality?

"When injunctions are issued," the Red leader explained, "the strikers should follow the . . . policy of ignoring such strike orders." These instructions, as everyone knows, were obeyed with a cynical display of disrespect for judicial authority.

To sum it all up, the CIO high-command is either taking Foster's advice or else its line of reasoning parallels the collective thinking of the best brains in the revolutionary movement. Whatever the truth of the matter may be, it is immaterial insofar as the Communists are concerned. **The job is being done their way.**

They are not leaving anything to chance, however. Should something go wrong—should CIO leaders fail to carry out the program that, in their judgment, must be followed—then Red leaders are prepared to exert pressure from below.

This method was used with success in undermining the A. F. of L. in the Auto Workers Union. The conservative A. F. of L. leadership would not accept Red dictation, so the Communists brought about affiliation with the CIO.

A Communist organizer, J. Wilson, of Detroit, tells in his report to Communist headquarters in New York how the campaign was started. "For several weeks," he wrote, "our comrades agitated among the individual members on the importance of the CIO. Then, when they thought the time was ripe, they called for a CIO representative."

As a result of this disruptive policy, it was less than three months from the time the union was chartered by the A. F. of L. until it joined the CIO. Now, some of the "comrades" themselves are in positions of leadership and the Communist Party organization confidently goes about making decisions for the union.

If this statement appears to be far-fetched, glance at the report of Communist Organizer Mac Weiss, who tells about the Fisher Body strike in Cleveland.

*"The action started," he said, "in the quarter panel department with a sit-down and soon spread spontaneously throughout the plant. There were two Young Communists in this department, one of whom is a high-ranking officer in the United Automobile Workers.

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*Footnote: George Morris, one of the staff writers of the Communist *Daily Worker*, describing in that paper's Sunday issue of November 29th, 1936, the technique used in pulling the "sit-down" in the Briggs auto body plant in Detroit, posed the taunting query: "How Did It All Start—Wouldn't the Briggs Corporation Like to Know!" Boastfully he wrote "They might be those 'Red agitators.'"

Anyway, he said, two or three workers (schooled in Communist tactics) *"simply lit the fuse"* by stopping work themselves and calling on other workers at strategic points on the assembly line to "sit down."

"It was not clear whether the strike should develop along the pattern of a sit-down or the usual picket-line strike. Only 300 strikers were sitting in. The rest had walked out. *The main task of the Party was to work out the following policy:*

"1. To make it impossible for the company to settle the strike until the Flint strikers came out. . . ."

"2. To bring order into the strike, there being no . . . leading strike committee and **no plant demands**."

"3. The character of the strike had to be determined, whether it was to be a complete sit-down strike . . . or a complete outside strike, or perhaps a combination of the two."

"These were the questions which the Party had to concern itself about. The policy which the Party worked out in these matters had to be made the policy of the union."

When the Communist movement carefully builds up its system of control within the union the task of making Party decisions "the policy of the union" is not a difficult one.

The Communists, today, have "units" in every local and lodge of the CIO unions, and also Party "fractions" which direct the activities of the "units" so as to control the lodge or local. These "units" working secretly under the absolute control and direction of Section Organizers are, even now, extending their influence as they proceed to do the real under-cover organizing work for the CIO.

A Red "unit" leader in the Pittsburgh district, in December, reported certain activities of his group to the Communist district headquarters in this fashion:

"The unit proposes that the **seven comrades who are members of the Executive Board of the union,** including the **three Party members who are Employee Representatives,** be organized as a fraction, and that their main task be guiding of the work of the local lodge, and in the Employee Representatives. One of them is to be attached to the unit bureau. This means that a functioning fraction has come into existence.

"Up to the present, the mill unit functioned in a loose manner, separated from and quite ignorant of what the **Party members who are full time organizers** were doing, or what the Party members who are Employee Representatives were doing, and quite vague about the work of the women's unit. The unit bureau has drawn up a plan to coordinate this work and organize it more effectively.

"We have also taken up with individual comrades in other departments the question of calling a meeting of 10 or 20 workers in their homes, with a union organizer present to form them into a recruiting committee for the union, while the comrades are to pay special attention to a few of them as prospective Party members."

This does not represent what is going on in an isolated case. The same thing is being done on every front where the CIO is engaged in organizing activities. The Communists have a real organization and a wide influence. As William Z. Foster told the CIO:

"The Communist Party is well established and has a large following in steel as well as other industries. Its members are militant workers and fighters and they will use the last ounce of their energy, re-

sources and courage to make the present organization drive a complete success."

That was a promise. The Communists are keeping that promise. They are giving the CIO leaders their fullest cooperation.

And John L. Lewis not only accepts it—he follows their direction as well.

"Sound trucks should be freely employed in the mill gate and street meetings"—ordered Communist leader FOSTER . . .

(Photograph of Sound Truck)

. . . And the CIO responds with hundreds of mobile units.

"Extensive use should be made of bands" . . . says Comrade FOSTER.

(Photograph of CIO BAND)

And here's the CIO Band imported from Cleveland to Flint.

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4. "There's millions in it"

Money is "the root of all evil", but it is also the root and branch of the CIO.

Without the Garland millions, contributed to the cause of revolution in America in 1922, the chances are that the vanguard of the Red propaganda army would not have advanced sufficiently to permit the planning and development of the CIO, with its incredible program and outrageous tactics.

Today, former recipients of Red-controlled Garland

funds have found soft berths for themselves in the CIO, while others are contributing to the success of the "industrial union" campaign by drawing on their past experiences in organizations whose support was derived, in some measure, from this same source.

Money gave the CIO its start. It was when funds in the CIO treasury began to mount to the two million mark that the organization hit its stride. It mattered little that the money came from levies on workers who had no say-so as to whether they wanted to contribute or not. The fact that part of the swag was taken directly out of the joint pockets of the unemployed and Mr. John Q. Taxpayer by assessments on union members engaged in **"CCC, WPA, or other governmental project employment"** did not embarrass John L. Lewis and his cohorts in the least.

At all costs the drive had to be pushed to a successful conclusion, and the prize of victory, by the way, was not to be sneezed at—not even by John L. Lewis with his unlimited expense account, his twelve-cylinder limousine, his liveried flunkies and his two historic show places in Virginia.

Ahead there was a golden goal.

Truthfully—there's millions in it!

As a matter of fact, minimum dues from the present CIO unions alone, when they are fully developed, will amount to over $16,000,000—and who ever heard of a union with minimum dues or without special assessments.

The American Fund for Public Service, or Garland Fund, as it is popularly known, since its inception has contributed or loaned a total of over two million dollars to Socialist, Communist, and I. W. W. causes, in addition

to financing certain revolutionary activities and enterprises on its own account. One of its current undertakings is the publication of the official Communist weekly, *The New Masses.*

On the Garland Fund's original board of directors were two individuals who are playing most important parts in the present CIO campaign. They are William Z. Foster and Sidney Hillman. Next to Lewis, Hillman is perhaps the most influential of the CIO executives. Clinton S. Golden, the CIO's Regional Director in the steel organizing drive, was also, at a later date, made a member of the Garland directorate.

Of Foster, considerable has already been said, so now a survey of Hillman and his organization—one of the original CIO unions—is altogether in order.

Hillman's Amalgamated Clothing Workers "is in reality an industrial arm of the Socialist Party of America, working for the objects of that Party," according to the Lusk Committee of the New York State Legislature which conducted an extensive investigation into its activities.

The Communist leanings of Mr. Hillman and his union were shown in a concrete way in 1922 when they organized the Russian-American Industrial Corporation to raise a million dollars among the workers of America to bring about "the rehabilitation of Russia." Samuel Gompers, then head of the A. F. of L., called it a "Soviet scheme."

Years ago Hillman was also active on the *I. W. W. Defense Committee,* and after became an honorary president of the ultra-Red *National Religion and Labor Foundation.*

As for Clinton Golden, his past experience as a revolutionary evangel deserves a brief mention. For several

years he was business manager and field director of Brookwood Labor College, a Left-wing school for labor students and prospective organizers and strike leaders. It was so "Left," however, that in 1928 it was branded as "Communistic" by the American Federation of Labor. Its faculty and staff members, as well as students, assist in strike activity as part of their "practical" education.

*Brookwood College received several grants from the Garland Fund and some of its instructors functioned also at the Communist Workers School, which, likewise, was a beneficiary of the Garland Fund's largess. John Brophy was a director at Brookwood, and Frank Palmer, CIO journalist, was a lecturer during Golden's incumbency. The directing head of Brookwood, at the time, was A. J. Muste, the present leader of the Trotskyite-Communists.

Golden, today, is a member of the "Board of Coun-

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*(Footnote: Merlin D. Bishop, a graduate and former member of the Brookwood staff, is now employed as an "Educational Director" for the CIO "on a cooperative arrangement with Brookwood." Tucker P. Smith, Brookwood's present Director, writes for the auto workers' CIO organ and, last summer, assisted the CIO in founding a training school at Saugatuck, Michigan, where leaders and agitators were prepared for the labor wars.

As a CIO newspaper explains "with such able men as Joel Seidman of Brookwood to guide us, our every-day experiences, in the shop and out, were hammered into ammunition for the battle."

Last fall the auto workers' union was inviting its members to compete for six scholarships to Brookwood, while a few months previous their convention "indorsed the work that Brookwood is carrying on.")

selors" of Garland-Fund-supported Commonwealth College, a Communistic, co-educational institution at Mena, Ark., which trains labor agitators and organizers. A legislative inquiry, in 1935, discovered that in addition to teaching Communism and atheism, free-love practices prevailed at the school.

The Director of Commonwealth, under questioning by the legislative committee, admitted that the Soviet Government was "superior to the American government," but refused to tell whether he respected the American flag, or not, all of which was perfectly all right with Mr. Golden. He continued to give his cooperation and support.

Now, Francis J. Gorman, President of the CIO's United Textile Workers and leader in CIO councils, becomes a member of the Advisory Board of this *Communist training school.

One of the largest sums allocated by the Garland Fund for revolutionary work was a $125,000 loan made to the International Ladies Garment Workers Union, now an affiliate of the CIO. This organization, the Lusk Committee declared after investigation, "is closely affiliated with the Socialist Party of America, and stands for the principles and tactics advocated by the Party," and further it "seeks

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*(Footnote: In the November issue of the CIO's *United Automobile Worker* announcements appeared for both Brookwood and Commonwealth.

"Brookwood," the featured notice said, "is definitely stressing in its studies the problems of organizing the mass production industries. . . . Most of its students this year are from Industrial Unions."

Commonwealth is referred to as "one of America's outstanding resident Labor colleges.")

to bring about the overthrow of the present system of society," the committee said. Its educational activities were carried on in conjunction with the notorious Rand School, the official Socialist propaganda institution, another Garland Fund beneficiary.

David Dubinsky, the President of this union, is now a Director of the CIO. For some twenty-odd years he was a leader in the Socialist Party. In 1936, while active in the CIO, he undertook to raise $100,000 from American radical unionists for the support of the Communists' Red Front in Spain.

*The Socialist Party also received Garland funds for its activities, and it is interesting to note that two of the CIO's outstanding leaders, Leo Kryzcki and Powers Hapgood, are now members of its National Executive Committee. Powers Hapgood, in addition to organizing on behalf

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*(Footnote: Questioned at a luncheon of the National Press Club in Washington, Earl Browder, General Secretary of the Communist Party, explained, last August, the difference between Socialists and Communists in the following words:

"The program of the Socialist Party and the program of the Communist Party have a common origin in the document written by Karl Marx and Friedrich Engels in 1847-1848, known as the Communist Manifesto. . . . There is no difference, so far as the program is concerned, in final aim. . . . In France the Socialist Party and Communist Party are negotiating for organic unity and amalgamation into one party. We will reach that stage in the United States, I think, in the not distant future. The differences between the Socialist and Communist parties are gradually being eliminated, and one unified Socialist or Communist movement is emerging. . . .")

of the Communists, was a "counsel" for the Communist *International Labor Defense*, and a one-time Executive Secretary of the Communist *American League Against War and Fascism*. He was also on the national committee of the Communist-aiding *American Civil Liberties Union*.

A general organizer for the CIO, Adolph Germer, was National Secretary of the Socialist Party when it adopted its anti-war resolution, which was intended to obstruct America's war-time activity. He was arrested in 1919 and sentenced to 20 years for violation of the Espionage Act, along with Victor Berger and others. In the following years he was an effective Socialist agitator. At the present time his organizing work on behalf of the CIO is second only to that of Powers Hapgood and John Brophy.

The Communist Party too, received financial assistance from the fund, but mainly for its publishing activities. It is not surprising, under the circumstances, that a former Red editor, J. B. S. Hardman, once an active Communist, should be placed in charge as supervising editor of *pamphlets and publications at CIO headquarters.

The Communist *International Labor Defense* also has frequently received generous support from the Garland Fund. The activities of its "counsels," significantly, have been most helpful in recent months to the CIO. The latest to be put on Lewis' payroll, Maurice Sugar, is a member of the Executive Board in Michigan. He is a frequent and featured speaker at Communist meetings and he has contributed to the support of many Communist causes. When the Detroit police, a few years ago, raided Communist headquarters in that city, they found Sugar's picture in

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*(Footnote: It is significant that the one place in New York where CIO pamphlets are publicly on sale is at Communist Party headquarters.)

the place of honor, flanked by huge lithographs of Lenin and Stalin.

Even the anarchists received support from the Garland Fund while Golden and Hillman were Directors. A goodly sum went to the Ferrer group, and now, one of the leaders—one of the intimates of Emma Goodman—Rose Pesotta is a most active CIO organizer in the rubber and automotive industries.

Why this contribution was approved can well be imagined. A Ferrer publication, at the time, tells of their plans. . . . "We are Anarchists," it said, "because we see in the State an enemy of liberty and human progress; and we are Communists, because we conceive Communism as the most rational and just economic theory yet proposed. . . . As anarchists we seek the abolition of the State."

It is not surprising, though, that Anarchist Pessotta should be advocating the CIO program. The Ferrer Anarchist method of securing the ends sought, was similar to that of the CIO. This was the Ferrer group's stated course of action:

"Industrial unionism, with the shop as the unit of control, *backed by a revolutionary proletariat,* is the method of attack we advocate. We are not particular if these shop committees are called Shop Stewards, Soviets or Syndicates: **the all-important thing is that industry be controlled at the point of production."**

In the belief, perhaps, that the American people were not quite ready for "Soviets" or "Syndicates" the CIO now has its "Shop Stewards."

Lewis' industrial unionism is, as we have seen, *backed by a revolutionary proletariat"*—the Communist Party.

And at this writing the CIO is trying its utmost to control industry "at the point of production."

Communists, Socialists, I. W. W.'s and Anarchists—what an organization—what a motley crowd of mouthy Marxian messiahs!

Do American workers want such leadership? Will American industrial leaders continue to deal with this Red aggregation?

If the owners of industry—impressed by the current show of apparent strength—feel that they "must" capitulate. . . .

If the workers believe they have something to gain by placing their confidence in leaders of this type. . . .

Then let them harken to the words of the man who would be their master—John L. Lewis.

Aside from Lewis, the two individuals who are the most powerful leaders in the CIO are John Brophy and Powers Hapgood. Lewis is depending on them to do the job of organization—he is depending on them to build a powerful industrial union movement.

In speaking of the activities of these two worthies in 1928, John L. Lewis had this to say:

"It is not difficult to imagine the kind of a union they would build up. . . . It would be one without a spark of honor or honesty. . . . Its word would be worthless. Any contract it might make . . . would amount to absolutely nothing, because the leaders would not respect it."

A FEW MORE COMMUNIST LEADERS
who are paid
ORGANIZERS for the CIO

RAYMOND SAROCCO CLARENCE IRWIN

ELEANOR RYE

GEORGE POWERS JESS GONZALES

TOM SHANE

LOUIS MAJORS ALFREDO ABILLO

PETER CHAPA

CHARLES HENRY MIKE OSTROSKI

JOSEPH COOK

DAVE DORAN RUTH CHAPA

DOYLE GLORMER

LEONIDES MCDONALD GEORGE A. PATTERSON

CAPTION

WHAT THE CIO STRIKERS WERE READING

"MOSCOW NEWS"

"WORKERS AGE"

"PEOPLE'S PRESS"

Auto Sitdown Strikers Demand GM Showdown

"DAILY WORKER"

Chevrolet No. 4 Sit-Down Bolsters Strike

"SUNDAY WORKER"

Workers Battle G. M.'s Double Cross

MOSCOW PRAISES REDS FOR AID IN AUTO STRIKE

Moscow, March 21 (UP).—K. Redmill, writing in "The Communist International Magazine No. 2," today praised the "work of Communists in the General Motors strike" at Detroit and Flint, Mich.

"During the entire strike," he said, "Communists were active in a leading role. They conducted many-sided work in helping strikers, collected money and carried out demonstrations of solidarity.

"The Communist party, through its central organ, 'The New York Daily Worker,' gave advice on how to conduct the struggle and in many instances this advice was adopted."

This news item is reproduced from the *New York Herald Tribune* of March 22, 1937.

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5. "A People's Front . . . like Spain!"

Barnum knew what he was talking about. A lot of suckers have been born since his day.

No one appreciates the truth of this more than the Red elements. They have been taking the American people for an intellectual sleigh ride for a long time—and they're still getting away with it.

For this reason it is quite probable they will not even attempt to explain away the charges that have been set down so far. The usual strategy, these days, is to admit the facts, and then counter with a snappy comeback, like—"So what?"

The loyal citizen, taken unawares by this brazen attitude and at a loss for an equally clever rejoinder, grins sheepishly and lets it go at that. If, by chance, he knows the answers, the Red defender calls attention to the fact that political beliefs have no place in the union movement and then points significantly to Democrats and Republicans in important union posts, who are always placed in conspicuous spots as window dressing.

If, however, the usual methods fail to squelch an aroused opinion, the Reds have two alternative stratagems. In the first place they will ridicule the source of the charges and with a patronizing smile attempt to wave them lightly aside, or, in final desperation, they will issue a bald denial.

Should any of the charges herein be denied, evaded, or "explained," it might be well to review the activities of the CIO up to now—the trickery, the cunning, (the illegal methods), the easy manhandling of the truth. Could it be that this same technique is being applied in an attempt to camouflage, or hide the truth?

Just remember, the Reds have their "orders." Their actions and reactions are preordained. They are merely following out, implicitly, the instructions of the little tin-God of modern Communism, Nikolai Lenin, who advised his American disciples, as to their "duty," in these words:

"We must be ready for any and every sacrifice, and even if necessary to practice trickery, to employ cunning, and to resort to illegal methods—to sometimes even overlook or conceal the truth—all for the sake of penetrating into the Trade Unions, to stay there and by every and all means carry on the work of Communism."

In one connection, particularly, every device suggested or implied in Lenin's instructions will be used to the fullest degree. Every possible means will be employed to explain away any implication that the CIO is seeking the overthrow of the United States Government. For the far-seeing Communists know that all of their painstaking plans will have gone for naught if those American workers who have become fascinated by the **promises** of the CIO chieftains, get an inkling of the truth and find out what it's all about. The Communists, therefore, will go to any length to prevent the disclosure of the ultimate service which they expect the CIO to render in the final drive to destroy the Government and create a Soviet America.

The Communist organization proposes to achieve its final objective through the medium, first of all, of a militant mass industrial movement, and secondly, through a Farmer-Labor political alliance.

Thanks to the CIO, both are now well under way. And when they become powerful enough—then "comes the revolution."

Even now, the Revolution is on its way. At least that's what John Lewis told a convention of Socialist and Communist youngsters at Chicago in December, 1936.

"Since the World War," he said, "a social and economic revolution has been developing in the United States . . . it has been one which labor has not hesitated to support and which it still proposes to support. . . . The point in its development has now been reached where we must again provide, as we did in *1776, for a Declaration of Independence for the whole world."

Slowly, John L. Lewis seems to be getting the Communist viewpoint. No sooner does he start talking about revolution than he calls for world revolution. Lewis was adopted by the American Communist Party to help them make America over. Now he proceeds to take over the job of the Comintern in Moscow, to make over the world.

And in this connection it should not be overlooked that John L. Lewis, back in 1931 when he was supposed to be anti-Communist, fully declared himself when he said: **"As a purely political philosophy I have no quarrel with Communism."**

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*(Footnote: Don't let that reference to 1776 fool you. It did not necessarily come from patriotic motives. It is more probable that Mr. Lewis was influenced by the current tenor of Communist declarations. "The Communist Party," declared Earl Browder, the Red candidate for the Presidency last fall, "is . . . continuing the traditions of 1776 . . . it is the only organization entitled by its program and work to designate itself as 'sons and daughters of the American Revolution.' ")

In building the CIO the Communists are "killing two birds with one stone." The CIO, itself, when and if it develops to its expected proportions, will be a "mass industrial movement" made to precise Red specifications, and it will constitute the most powerful weapon for evil that has ever been conceived.

The CIO has already had its political baptism. Through John Lewis it played a major role during the elections last fall in both Labor's Non-Partisan League and the American Labor Party. Thus the ground-work for a Farmer-Labor political movement has already been laid. Soon will come Communist orders to begin to build.

Although John Lewis isn't sure whether the job of putting the steel "barons" in their places is going to take "seven weeks or seven months," already Communist leader Foster has outlined what "the next steps" are to be when that task has been accomplished.

"A victory in steel," he declares, "with its resultant mass enthusiasm and increased fighting spirit, must especially be utilized to strengthen the workers politically. . . . The workers and other toilers must have their own political party and political program . . . they should systematically set up local and state Farmer-Labor parties. . . . This whole developing political movement should go in the direction of the formation, as soon as possible, of a great National Farmer-Labor Party, the beginning of a broad People's Front in the United States. . . . **Clearly, the CIO has a heavy responsibility to further this progressive political work.**"

A similar pronouncement from within the CIO was not long in coming.* Francis J. Gorman, the CIO textile

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*(Footnote: Gorman, in addition to being a CIO leader, is featured at Communist meetings and headlined

leader, in a message to a conference called by the Communist *American League Against War and Fascism*, declared:

"Our struggle against entrenched power must go forward on two fronts: the economic front and the political front. . . . We are working for a people's coalition against political reaction. This is what the Spanish people realized in the electoral victory of the Spanish People's Front."

In order to make it all perfectly clear, Comrade Foster further declares:

> "History thrusts upon the CIO the responsibility of bringing such a party into actual being . . . a great united front Farmer-Labor Party as the beginning of an American People's Front."

A People's Front . . .

Like Spain!

A People's Front . . .

The prelude to a Soviet America.

IN THE FACE OF THIS CIO CHALLENGE

Loyal citizens will want to DO SOMETHING ABOUT IT. Accordingly, the Constitutional Educational League invites cooperation in its endeavor to

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in the Red press. He also writes for Communist publications. On Christmas day, 1936, his Greetings to the Communist Faithful appeared directly under the masthead on the first page of the *Daily Worker*, "organ of the Communist Party, U. S. A. Section of the Communist Internationale." Under his direction today clothing is being manufactured in New York for the Red forces in Spain.

give this pamphlet a wide distribution. The time is at hand when it is necessary to render more than lip service to the cause of patriotism. WILL YOU PARTICIPATE?

FOR $1

The League will send *one* copy of "Join the CIO *and help build a* SOVIET AMERICA" to any *nine* persons you select—or *twelve* copies to *one* address.

FOR $2

The League will send *one* copy of "Join the CIO *and help build a* SOVIET AMERICA" to any *twenty* persons you select—or *twenty-five* copies to *one* address.

FOR $5

The League will send packages of *ten* copies of "Join the CIO *and help build a* SOVIET AMERICA" to each of *six* persons you select—*seventy* copies to *one* address—or *eighty* copies to names on its own selected lists.

FOR $10

The League will send packages of *ten* copies of the pamphlet to each of *fourteen* persons you select—*one hundred and fifty* copies to *one* address—or *one hundred and seventy-five* copies to names on its own lists.

Send your check and help do a worthwhile job.

. . . . . .

CONSTITUTIONAL EDUCATIONAL LEAGUE
New Haven : : Connecticut

I WANT TO HELP! I send herewith $..... for .....copies of your pamphlet "JOIN THE C.I.O. *and help build a* SOVIET AMERICA." My list of names is attached.

Name .....

Address .....

"The movement is aimed not only at the labor unions but at the entire industrial, social and political structure of the country, and with the single aim of eventually establishing a Soviet dictatorship in the United States. . . .

"This is one occasion when labor and the employer might very well join hands and fight together. . . ."

This amazingly accurate interpretation of the CIO'S trend and the added good advice were culled from the report which John L. Lewis submitted to the United States Senate on January 3d, 1924, when another Communist-inspired "industrial union" program was threatening the future well-being of labor, industry and the nation.

$1,000 REWARD

Will be Paid to Anyone Who Can Prove That a Single Charge Made in this Booklet is Untrue. A Similar Reward is Offered if it Can be Shown That Any of the Published Quotations are Not Strictly Accurate.

———o———

Published and Distributed by

CONSTITUTIONAL EDUCATIONAL LEAGUE

Incorporated

New Haven, Connecticut

BOARD'S EXHIBIT NO. 77

INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES

Youngstown District

Youngstown, Ohio, ...

Recommended by .....

.....

Hereby accepts membership in the Independent Federation of Republic Employees. An Organization formed for the mutual benefit of all employees of Republic Steel Company.

Check No. .....

Dept. .....

.....

(Signature)

MEMBERSHIP CARD

of the

INDEPENDENT FEDERATION OF REPUBLIC EMPLOYEES

M .....

Check No. ..... Date .....

Dept. .....

.....

Chairman

BOARD'S EXHIBIT NO. 79

MEMBERS IDENTIFICATION

This is to Certify that

..... Check No. .....

Is a Member of the Employees' Independent Association for the Employees of Republic Steel Corporation, Warren District.

Membership No..... Date .....

EMPLOYEES' INDEPENDENT ASSOCIATION

For the Employees of REPUBLIC STEEL CORPN.,
Warren District

Membership No.....

I hereby accept Membership in the Employees' Independent Association and of my own free will hereby authorize the Employees' Independent Association, its Agents or Representatives, to act for me as a collective bargaining agency in all matters pertaining to rates of pay, wages, hours of employment, or other conditions of employment.

Occupation..... Department.....
Name..... Check No.....
Date..... Address.....

BOARD'S EXHIBIT NO. 80

(Envelope):

Postage Will be Paid By Addressee

No Postage Stamp Necessary If Mailed in the United States

Business Reply Envelope

First Class Permit No. 99, Sec. 510 P. L. & R., Warren, O.

EMPLOYEES INDEPENDENT ASSOCIATION
P. O. Box 1350,
WARREN, OHIO

BOARD'S EXHIBIT NO. 84

REPUBLIC STEEL CORPORATION
Warren District

Plan of Employee Representation

Adopted June 1933
Amended May 1934

REPUBLIC STEEL CORPORATION
WARREN DISTRICT

Plan of Employee Representation

The Plan of Employee Representation, as hereinafter provided, shall in no way discriminate against any employee because of race, sex, or creed, or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

I

Representation

1. Employee Representation shall be by Departments on the basis of one Representative for each two hundred (200) employees, or major fraction thereof, based on the average number of employees on the payroll for three months immediately preceding the election.

2. Wherever it is necessary for the purpose of applying the unit of representation to group small Departments, regard shall be had to logical groupings and location.

3. Adjustments in units of representation, wherever necessary to secure complete and fair representation,

shall be made in accordance with the recommendation of the Joint Committee on Rules, Ways and Means.

II

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year and shall be eligible for re-election.

2. An Employee Representative may be recalled upon the approval by the Committee on Rules, Ways and Means, of a petition signed by two-thirds of the voters in his department and upon such approval he shall cease to be such Representative.

3. An Employee Representative shall be deemed to have vacated his office as such upon severance of his relations with the Company, or upon being transferred from one Department or voting division to another, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative, for which there is no Alternate, as described in Paragraph 16 of Section IV hereof, may be filled for the unexpired term, in the discretion of the Committee on Rules, Ways and Means, by special election conducted in the same manner as the regular annual election.

III

Qualifications of Representatives and Voters

1. Any employee who has been on the Company's payrolls for a period of at least one year immediately prior to nominations; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nominations shall be entitled to vote.

3. Company officials and persons having the right to hire or discharge, or holding regularly a purely supervisory position, shall not be eligible as Employee Representatives or qualified to vote for Employee Representatives.

IV

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations (after the first nominations and elections) shall be held on the second Tuesday and elections on the following Friday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by employees in accordance with rules and regulations prescribed by the Committee on Rules, Ways and Means, with only such assistance from the Management as may be requested.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid influence or interference with voters in any manner whatsoever, and to prevent any fraud in the casting or counting of ballots.

Nominations

4. On the day of nominations, each qualified voter shall be furnished a ballot stating the number of persons for whom he is entitled to vote. Such voter shall write on ballot the names or check numbers of the persons in his

Department or voting division whom he desires to nominate for election as Employee Representatives.

5. A voter may place in nomination twice the number of Representatives to which his Department or voting division is entitled.

6. If on any ballot, the name or check number of the same person shall appear more than once, the ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers appearing on any ballot shall exceed the designated number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. Those employees who received the largest number of votes, in any department or voting division, equal to three times the number of Representatives to be elected shall be declared nominated, and shall be candidates for election.

Elections

10. On the day of election, each qualified voter shall be furnished by the Committee on Rules, Ways and Means, through tellers designated by such Committee, a ballot on which the names of the candidates for Employee Representatives shall be printed in the order of number of votes received at nominations. In case two or more persons shall have received at nominations the same number of votes, then the names shall be placed in the alphabetical order of their respective sur-names.

The voter shall indicate his preference by placing a cross (X) opposite the name of the candidate or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each Department or voting division shall be entitled to vote for Employee Representatives of such Department or voting division shall be stated on the ballot. If this number is exceeded, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Committee on Rules, Ways and Means, and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates receiving the highest number of votes (in accordance with the number to be elected) shall be declared elected as the Employee Representative or Representatives of such Department or voting division.

13. In the event of a tie, selection shall be made by lot under the direction of the Committee on Rules, Ways and Means.

14. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Committee on Rules, Ways and Means.

15. The Committee on Rules, Ways and Means, may make such provision as they may consider necessary for assisting any voter who may so request, in properly marking the ballot.

16. Candidates failing of election shall stand as Alternates in the order of the number of votes received and in such order shall become Employee Representatives as need may arise through vacancies or increased forces.

V

Management's Representative

The Company shall appoint a Management's Repre-

sentative to facilitate close relationships between the Management and the Employee Representatives.

The Management's Representative shall represent the Management in negotiations with the Representatives, their Officers and Committees. He shall respond promptly to any request from Representatives, and shall interview all of the Representatives, from time to time, collectively or separately, with reference to matters of concern to employees. He may attend any meeting of the Joint Committees, but shall not have any vote thereat.

VI

Committees

1. Wherever the word "Committee" is used throughout this instrument, it shall mean a Standing Committee of Employee Representatives unless a "Joint Committee" is specified.

2. After each annual election the Representatives shall immediately meet for the purpose of electing a Chairman, Vice Chairman and Secretary for the General Body of Employee Representatives.

The General Body of Employee Representatives shall also select members for the following Committees, viz:

Committee No. 1—Rules, Ways and Means.

Committee No. 2—Wages, Employment, Schedules and Working Conditions.

Committee No. 3—Safety, Health, Plant Sanitation and Welfare Activities.

Committee No. 4—Appeals Committee.

3. The Appeals Committee shall consider all matters not falling within the scope of any other Committees here-

in provided for, and the Chairman and Secretary of the General Body of Employee Representatives shall be members of the Appeals Committee.

4. Each Committee shall be composed of not more than five members, and shall appoint its own Chairman and Secretary.

5. Vacancies on Committees shall be filled at a regular meeting of the General Body of Employee Representatives.

6. Joint Committees shall consist of the Committee of the Employee Representatives with the addition of the Company's Representatives named by the Management, who may equal but shall not exceed in number the Employee Representatives.

7. The Joint Committees shall select their own officers and arrange their own procedure, subject to appeal, in case of controversy, to the Joint Committee on Rules, Ways and Means.

VII

Committee Meetings

1. Regular meetings of Committees shall be held every other month.

2. On alternate months, the Joint Committees shall meet.

3. In months that the Joint Committees meet, a meeting shall also be held by the General Body of Employee Representatives for the purpose of reviewing the work of the Committees and Joint Committees, and discussing any matters of general interest.

4. Committees shall meet between the hours of three and five in the afternoon, unless otherwise determined by

joint approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

5. Special meetings of Committees and of Joint Committees may be held as occasion may require, on approval of the Chairman of the General Body of Employee Representatives and the Management's Representative.

6. For time necessarily lost, through actual attendance, at regular or special meetings or conferences jointly approved, Representatives shall receive from the Company, payment commensurate with their average earnings.

7. Representatives shall have the right to appear before and be heard by a Committee considering matters of concern to the employees of the Department or voting division they represent.

8. A Committee, in considering matters of special interest to any particular Department or class of employees, shall have the right to invite into conference the Representatives of the Employees and of the Company likely to be especially interested in such matters.

9. Any matter may be referred by the Management through the Management's Representative to any Committee for consideration and report, and any matter may be presented by a Committee to the Management through the Management's Representative.

10. The Joint Committee on Rules, Ways and Means, shall arrange a suitable place for meetings of the General Body of Employee Representatives and of the several Committees and Joint Committees, and the Company shall defray such expenses as are necessarily incident to the discharge of duties herein set forth, when approved by a majority of said Committees.

VIII

Annual Conference

An Annual Conference between all of the Employee Representatives and Representatives of the Management shall be held at a time and place determined by the Joint Rules, Ways and Means Committee, who shall regulate the procedure at such conference.

IX

Procedure for Adjustments

1. Any matter which in the opinion of any employee or group of employees, requires adjustment, and which such employee or group of employees has been unable to adjust, either directly with the foreman or through his or their representative, may be taken up by such employee or group of employees, either in person or through any representative of his or their department in writing.

FIRST

With the Superintendent concerned.

SECOND

With the Management's Representative.

THIRD

With the Management, who shall endeavor to effect a settlement, or who may with the approval of all the parties refer the matter to proper Joint Committee.

2. Unless satisfactory disposition of any such matter has been effected within fourteen (14) days, unless otherwise agreed upon between the Department Head and Representative with whom he is in contact, any employee through his Representative, or the Management through the Management's Representative, may require such mat-

ter to be referred to the Joint Appeals Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee.

The Joint Appeals Committee shall consider any such matter with reasonable promptness, at a regular or special meeting, and may adopt such means as are necessary to ascertain the facts and effect a settlement.

All changes in hourly or tonnage rates fixed or determined by any authority in the procedure of the Plan, up to and including the Joint Appeals Committee, which decision is satisfactory to the employee or employees concerned, shall be made effective as of the date the written request was filed with the department head.

Request for changes in hourly or tonnage rates shall be considered closed upon such a decision as hereinbefore stated, unless notice of an appeal is filed in writing by the employee or employees with the Chairman of the General Body and/or the Management's Representative within fourteen (14) days after the decision as hereinbefore stated was made, in which event the request will be continued through such procedure of the Plan as is necessary to effect final disposition.

3. If the Joint Appeals Committee shall fail to effect a settlement, the President of the Company shall be notified, and the matter may be referred, if the President and a majority of the Employee Representatives on the Joint Appeals Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

X

Guaranteeing the Independence of Representatives

1. It is understood and agreed that each Representa-

tive or employee assisting him shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity.

2. To insure to each Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him on account of his acts in his representative capacity to the Management's Representative, to any of the Superior Officers, to the Joint Appeals Committee, and to the President of the Company.

3. Having exercised this right in the consecutive order indicated and failing a satisfactory remedy within thirty days, a Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish the Secretary of Labor with every facility for the determination of the facts, and the findings and recommendations of the said Secretary of Labor shall be final and binding.

XI

Amendments

1. Any method of procedure hereunder may be amended at any time by two-thirds vote of the entire membership of the Joint Committee on Rules, Ways and Means, or by concurrent majority vote of the General Body of Employee Representatives and of the Representatives of the Management at an Annual Conference.

BOARD'S EXHIBIT NO. 85

Employees' Representation Plan—Warren District
Minutes of Second Regular Meeting of Standing Committee

No. 2, Held at Trumbull Cliffs Meeting Room, Tuesday, September 10, 1935

The meeting was called to order at 3:30 P. M. by Ernest Webb, Chairman, with the following members present: E. Webb, D. G. Williams, Glenn Dugan, R. B. Warner, and H. Fisher, alternate for F. C. Fleming, absent; also H. R. Strothers, alternate. Also present: G. H. McClain, C. M. Schoenlaub and E. J. Mulligan.

The minutes of the meeting held July 9, 1935 were read and approved as read.

Communications: None.

Unfinished Business:

Item GB-1-35: "Differential Rates for Maintenance Men of Same Craft." There was considerable discussion on this subject and various opinions were stated. Mr. Mulligan asked Mr. McClain what was the basis for rate setting. Mr. McClain stated that this was a subject that Industry had been studying and working on for many years and that it was a subject that would never be agreed upon by all. And, to the best of his knowledge, rates were set after considering many things. It is usually considered that the "labor rate" is the basis or starting point in the setting of rates. All rates are compared with themselves and are arrived at on a relative basis. After more discussion on this subject, it was moved by H. Fisher and seconded by D. G. Williams that it be brought to the attention of the Industrial Engineering Department that it is the consensus of opinion of this Committee that more intensive study be given to the proper evaluation of jobs in the Service and Utility Departments and that proper regard be given to the individual's ability. Motion carried.

Item GB-2-35: "Vocational Training for Employees."

Mr. Mulligan reported on this subject and stated that Mr. Grastorf of the State Department of Vocational Education had recently been in conference with himself and Mr. McClain in Mr. McClain's office and it developed that it looks very favorable that funds will be available from the State for developing some suitable vocational training work in this Plant. The matter has been favorably considered by the Management.

New Business:

Item S2-1-35: "Request that the jobs of Messrs Fenton, Yost and Lenheart, boilermakers, be classified and rates of pay raised to that of first-class boilermakers." D. G. Williams, Representative of the Mechanical Department, presented this request and stated that same had received negative action from Mr. C. W. Phillips, superintendent of the department, and Mr. G. H. McClain, Management's Representative, and that it was accordingly being presented to the Committee for their consideration. After considerable discussion it was moved by D. G. Williams and seconded by Glenn Dugan that this request be referred back to G. H. McClain with instructions to request the Industrial Engineering Department to make a study of these rates with consideration to be given to the establishment of an intermediate rate between what is now "first" and "second class" boilermakers rates. Motion carried.

There being no further business, the meeting adjourned at 5:15 P. M.

R. B. Warner,
Secretary.

Dictated by GHMcC/fad

BOARD'S EXHIBIT NO. 86

Superintendent's Forwarding Copy

FR 726 3 M Sets 7-34 File Record OC-29-35

REPUBLIC STEEL CORPORATION AND SUBSIDIARIES

Employee Representation Plan

Record of Case Presented to Employee Representative

Warren	Warren	7-11-35
District of Subsidiary	Plant	Date

Presented by Hot Mill Engineers 4 Mechanical S&T

Name of Group No. Men Involved Department

Statement of Case: It is requested that an adjustment of hourly rate to 76c be made to compensate men whose ability warrants this request.

Ernest Webb
Employee Representative.

Disposition of Case: Date No Action Affirmative Negative Compromised Withdrawn

Carl Neumeister .....
Foreman

C. W. Phillips ..... No .....
Superintendent

G. H. McClain ..... No .....
Management's Representative

.....
Committee

.....
Committee

.....
Committee

.....
Committee

Final Disposition: Request denied.

Date .....

.....
Employee Representative

BOARD'S EXHIBIT NO. 87

EMPLOYEE REPRESENTATION PLAN
Account 301-751
Warren District

Employee Representative ..... Check No. .....
Date worked ..... Turn (State beginning and end of regular turn) .....
Total hours worked regardless of time distribution .....
Total hours worked in connection with the Plan - (Account 301-751) .....
Total hours exempt (In excess of your regular turn, or in excess of the 40 hours per week) .....

(Signed) .....
Department Superintendent

Note: This form is to be filled in and mailed to Managements Representative for only such time as is in excess of the Representative's regular turn, or in excess of the 40 hours allowed an employee per week.

If Representative is not on regular turn, but reports in the Plant for work in connection with the Plan, state on second line "off regular turn" in which event all time so spent that day will be exempt.

BOARD'S EXHIBIT NO. 88

Minutes of Regular Meeting
General Committee—Employee Representation

Hospital Building—September 8th, 1936

The meeting was called to order by Chairman May with all members present.

Minutes of the previous meeting were read by the Secretary, and it was suggested that in the publishing of the next minutes, an explanation be made of the committee's action in opposing the plan of overtime pay for employees who work in excess of six consecutive turns. It was explained this action was taken because some departments had been notified that employees would not be permitted to work the seventh turn, and rather than have the men lose this time, it was recommended that overtime pay for the seventh day be dispensed with. However, overtime will be paid for any time worked in excess of eight hours in any one day. A motion was then made by Mr. Walsh and seconded by Mr. Schermer that the minutes be approved with the above addition. Motion carried.

Communications:

The Secretary read a letter received from Cleveland Overall Company relative to the furnishing of Overalls or Uniforms to the men in the plant on a weekly rental basis. A separate letter explaining this plan in detail will be posted and employees are requested to voice their opinion to their Representative.

At this point the regular order of business was suspended, and under the heading of New Business, Mr. Matchuric brought up the case of George Troyanovich who had been discharged. Mr. Matchuric reported the results of his personal investigation, which was discussed, and it was moved by Mr. Sisk and seconded by Mr. Matchuric, that Mr. L. A. Wakefield, Management's Representative be called into the meeting. Motion carried. Mr. Wakefield stated the reason, so far as he knew, for the discharge of Mr. Troyan-

ovich, and after it was discussed by the committee, a motion was made by Mr. Grimm, seconded by Mr. Vicha, that Messrs. Zimmerman, Robbins and Haggerty be asked to attend the meeting this afternoon. Motion carried.

After lunch Messrs. Zimmerman, Robbins and Haggerty came to the meeting and from their statements it was found that the reports about Mr. Troyanovich had originated mainly from one source. After Messrs. Zimmerman, Robbins and Haggerty left the meeting there was a lengthy discussion, and it was decided by the committee that the four Representatives of the Rolling Mill Division would further investigate this case and report back to the General Committee at 2:00 P. M. the following day, September 9th.

When the committee reconvened on Wednesday at 2:00 P. M. the report of the findings of these Representatives was given verbally, and after some discussion it was moved by Mr. Matchuric and seconded by Mr. Exall, that the following resolution be brought to the attention of Mr. Carpenter: "That the General Committee investigated the case of George Troyanovich and found insufficient evidence to substantiate the charges which had been made against him, and that this body recommends that George Troyanovich be reinstated." Motion carried unanimously.

Unfinished Business:

Overcharging by Factory Stores for commodities was again discussed and Mr. Wakefield stated he had investigated this to some extent. It was moved by Mr. Matchuric and seconded by Mr. Bradley, that the committee write the Management giving facts in the case of asking for an investigation.

Mr. Walsh asked relative to the approach to the Open Hearth Service Station and Mr. Wakefield reported that it

is in the hands of the Engineering Department and that work on this is expected to begin soon.

The meeting recessed for lunch, reconvening at 1:30 P. M. with all members present.

New Business:

Mr. Wakefield reported that the American Legion is offering tickets for several of the events during their Convention, at a substantial saving, and the committee decided it would be worth while to post notices to this effect and have the tickets available in the Hospital Building for any who desire to obtain them.

Mr. Wakefield also reported that he had been contacted by the Community Fund with reference to selecting a committee from this plant to visit some of the Institutions that are supported by the Fund in order to see just how some of this money is spent. It was moved by Mr. Walsh and seconded by Mr. Korecky, that this matter be taken care of by the Mutual Relief Committee. Motion carried.

Reports of Committees:

Minutes of the regular meetings of the sub-committees were read by the Secretary.

At the meeting of the Rules, Ways & Means Committee held on September 2nd, a recommendation was made that the following amendment to our Book of Rules be submitted to the General Committee for adoption: "Employees having complaints must bring them up for settlement within ninety days from the time the grievance arises." After discussion it was moved by Mr. Bradley and seconded by Mr. Schermer, that this recommendation be accepted. Motion carried.

The report of the Athletics & Recreation Committee stated that this committee is sponsoring and making arrangements for a Clam Bake for employees, which will be

held on Saturday, September 26th, at Basta's Grove, 6323 Turney Road, Garfield Heights. Tickets are available from any of the Representatives or at the Plant Hospital.

General Discussion:

The need for some sort of Safety Signal or protection at Broadway and Dille Road was discussed and this matter will again be turned over to Mr. Wakefield.

There being no further business, the meeting adjourned.

John N. May
Chairman—General Committee
Harry E. Grimm
Secretary—General Committee.

BOARD'S EXHIBIT NO. 90

CERTIFICATE OF ELECTION FOR EMPLOYEE REPRESENTATIVES

ROLLING MILLS

Department or Voting Division

This is to certify that at the June 16, 1936, Elections held by the Employees of the above department or voting division, the following nominees were elected Employee Representatives:

J. Bradley	No. 7680	312 Votes
A. Matchuric	No. 7605	279 Votes
M. Roth, Jr.	No. 4141	222 Votes
H. Sisk	No. 8485	219 Votes

The following nominees stand as alternates in the order listed on the number of votes received:

J. Exall	No. 3385	198 Votes

C. Mackell	No. 8480	197 Votes
C. Douglas	No. 4540	192 Votes
G. Troyanovich	No. 8374	180 Votes
A. Fitzgerald	No. 3975	148 Votes
R. Powell	No. 3872	74 Votes
V. Monz	No. 8481	35 Votes
L. Korell	No. 8165	15 Votes

J. E. Smith
R. J. Powell
H. T. Schermer
E. G. Lohman
C. P. Douglas
G. Troyanovich
Mike Koscso
J. V. Walsh
H. E. Grimm
J. N. May
G. A. Burns
Andy Cygan
C. B. Mackell
John Sabol
H. M. Lancaster
R. C. Murdoch
Employees' Committee on Elections

Republic Steel Corporation and Subsidiaries

District or Subsidiary	Plant	Date
Cleveland	Corrigan McKinney	June 17, 1936

BOARD'S EXHIBIT NO. 91

REPUBLIC STEEL CORPORATION
Cleveland District

PLAN OF EMPLOYEE REPRESENTATION

Adopted June, 1933
Amended March, 1934
Amended April, 1936

REPUBLIC STEEL CORPORATION
Cleveland District

Plan of Employee Representation

I.

Representation

1. Employee representation shall be by voting division which shall be based upon departments or units of the plant. There shall be one Employee Representative for each 250 [marginal note, in pencil: "200"] employees of the plant or major fraction thereof in each voting division, based on the average number of employees in such division, with a minimum of three Employee Representatives in the District. Adjustment shall be made to meet special recommendations in accordance with the Committee on Rules and Management's Representative.

2. Wherever it shall be necessary for the purpose of applying the unit of representation to group small departments, regard shall be had to logical groupings and location.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year, and shall be eligible for re-election.

2. An Employee Representative may be recalled by two-thirds of the voters in the voting division of such rep-

resentative. Election for recall may be called by the Committee on Rules not sooner than 15 days and not later than 30 days following the approval by petition signed by two-thirds of the voters in the unit of representation of the representative. The petition shall state the reason for recall and Employee Representative shall have the privilege of appearing before Committee on Rules to defend himself if he so desires.

3. An Employee Representative shall be deemed to have vacated his office as such upon his voluntary severance of his relations with the Company or upon his discharge for cause, or upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative for which there is no Alternate as described in Paragraph 15 of Section IV hereof may be filled for the unexpired term, in the discretion of the Rules Committee, by special elections conducted in the same manner as the regular annual elections.

III.

Qualifications of Representatives and Voters

1. Any employee who is on the Company's payrolls and has been on same during the previous six (6) months; who is twenty-one (21) years of age or over, and who is an American citizen, shall be considered qualified for nomination and election as an Employee Representative.

2. All employees who are enrolled on the Company's payrolls (except as provided in Paragraph 3 of Section III) on the date fixed for nominations, shall be entitled to vote.

3. Company officials, foremen, assistant foremen, policemen, piece-work clerks, industrial engineers, and per-

sons having the right to hire or discharge, shall not be eligible to act as representative or vote for representatives.

4. This plan shall in no way discriminate against an employee because of race, sex or creed; or abridge or conflict with his or her right to belong or not to belong to any lawful society, fraternity, union or other organization.

IV.

Nominations and Elections

1. Nominations and elections of Employee Representatives shall be held annually in the month of June. Nominations shall be held on the second Tuesday and elections on the third Tuesday of such month. In the event of either of these days being a holiday, then the nominations or elections as the case may be, that otherwise would be held on such day, shall be held on the next succeeding full business day.

2. Nominations and elections shall be conducted by the Employees in accordance with rules and regulations of the Election Committee. The Election Committee may request such assistance from Employees of each department to act as tellers as is necessary.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid undue influence or interference in any manner whatsoever, so as to prevent any fraud in the casting or counting of ballots.

4. On the day of nominations, each employee of the Company then qualified to vote as hereinabove in Section III provided shall be furnished by the Election Committee through tellers designated by such committee with a ballot stating the number of persons for whom he is entitled to vote at nominations on such day; and such voter shall write on such ballot the names or check numbers of the persons

in his voting division whom he desires to nominate for election as Employee Representative.

5. In voting at nominations each duly qualified voter may vote for a number of persons equal to twice the number of the persons whom his voting division is entitled to elect as Employee Representatives.

6. If on any ballot cast at nominations the name or check number of the same person shall appear more than once, such ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers shall appear on any ballot at nominations shall exceed the permitted number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. The employees in any voting division equal to three times the number of Employee Representatives to be elected by the employees in such division who shall have received the largest number of votes shall be declared nominated and shall be the candidates for election by such employees on the day of elections.

10. On the day of election, each duly qualified voter shall be furnished by the Election Committee through tellers designated by such Committee with a ballot on which the names of the candidates for Employee Representatives nominated as hereinabove provided shall be printed in the order of the number of votes received at the preceding nominations, or in case two or more persons shall have received at nominations the same number of votes, then in the alphabetical order of their respective surnames. Each voter shall indicate his preference by placing a cross (X)

opposite the names of the candidate, or the name of each of the candidates of his choice.

11. The number of candidates for whom the employees in each voting division shall be entitled to vote for Employee Representatives of such division shall be stated on the ballot. If any voter shall vote for more than such number the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Election Committee and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates of each voting division of the number to be elected by such voting division who shall receive the highest number of votes shall be declared elected as the Employee Representative or Employee Representatives of such division.

13. In the event of a tie, selection shall be made by lot under the direction of the Election Committee. In the event of a controversy arising concerning any nomination or election, it shall be referred to and decided by the Election Committee.

14. The Election Committee may make such provision as it may consider necessary for assisting any voter who may request it in properly marking his ballot.

15. Candidates failing of election shall stand as Alternates in the order of the number of votes received, and in such order shall become Employee Representatives as need may arise through vacancies.

V.

Employee Committees

1. After each annual election the Employee Representatives, hereinafter called the General Committee, shall

immediately meet for the purpose of electing a temporary Chairman and Secretary. At the next regular meeting, the General Committee shall elect a permanent Chairman, Vice Chairman, Secretary and a Committee on Rules, and members of such other committees as are found necessary by the Committee on Rules for the consideration of the following subjects:

(a) Rules, Ways and Means.
(b) Wages, Tonnage Schedules, Methods and Economies.
(c) Mutual Relief.
(d) Athletics and Recreation.
(e) Health and Sanitation.
(f) Election Committee (General Committee).

2. Each Sub-committee, so elected under Paragraph 1 of Section V shall be composed of not less than five (5) nor more than seven (7) members, shall appoint its own chairman and secretary, and arrange its own procedure.

3. Vacancies on committees shall be filled by a vote of the General Committee.

4. Regular meeting of the General Committee and all Sub-Committees shall be held at least once a month, except the Election Committee, which shall meet when necessary.

5. The Company shall provide a suitable place for meetings of all committees.

6. When representatives attend regular or special meetings of any committee, as arranged for by the Chairman of the various Committees and Management's Representative, they shall receive from the Company payment commensurate with their respective average earnings for the time necessarily occupied through actual attendance.

VI.

Management's Representative

1. The Company shall appoint a representative (who shall be known as the Management's Representative) who shall keep the Management in touch with the Employee Representatives, and shall represent the Management in negotiations with such representatives. He shall respond promptly to any request from such Representatives, and shall interview all of them, from time to time, collectively or separately, with reference to matters of concern to employees.

2. The Employees vest in the Management the direction of the working forces, including employment, promotion, transferring, disciplining or relieving for proper cause.

VII.

Procedure for Adjustment

1. Any matter which in the opinion of any employee of the Company requires adjustment and which such employee has been unable to adjust with the person in charge of the work on which he is engaged, may be taken up by such employee in writing, either in person or through any Employee Representative of his voting division with the following and in the following order:

First—With the Department Head.

Second—With the Management's Representative.

Third—With the General Committee, who shall decide by a majority vote, upon the merit of the case. If in their opinion the case has merit, a committee of the employee representatives shall be delegated to meet with a committee appointed by the Management, both committees being of equal number, total not to exceed ten (10), to ascertain the

facts and effect a settlement. The decision by majority vote of this committee shall be binding upon all parties. If this Committee fails to reach a decision, the question shall be referred to the Management.

2. Unless a satisfactory disposition of any such matter shall have been effected by the Management within a period of fourteen (14) days after it has been submitted to the Management, it shall be referred to the General Committee. If the General Committee decides by majority vote, the President of the Company shall be notified, and the matter may be referred, if the President of the Company and a majority of the Employee Representatives on the General Committee agree to such reference, to an arbitrator or arbitrators, to be determined at the time according to the nature of the controversy.

3. Any adjustments in hourly or tonnage rates determined by above procedure shall be made effective as of the date the written request was filed.

VIII.

Guaranteeing the Independence of the Representatives

1. It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be affected in the least degree by any action taken by him in good faith in his representative capacity. When a representative is called from his regular work at a request of any employee on anything pertaining to this Plan, he should first report his contemplated absence to his immediate supervisor.

2. To insure to each such Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him, on account of his acts in his representative capacity,

to any of the superior officers, to the General Committee, and to the Management of the Company.

3. Having exercised this right in the consecutive order hereinabove indicated and having failed to obtain a satisfactory remedy within twenty (20) days, such Representative shall have the further right to appeal to the Secretary of Labor of the United States. The Company shall furnish said Secretary with every facility for the determination of the facts, and the findings and recommendations of said Secretary shall be final and binding.

4. If final decision is made in favor of the representative, such representative shall be paid in full for all time lost from his regular job.

IX.

AMENDMENTS

Any method of procedure hereunder, with the exceptions of Paragraph 6 of Section V, and Paragraph 2 of Section VI, may be amended at any time by a two-thirds vote of the Employee Representatives and of the Representatives of the management.

X.

RIGHT OF TERMINATION

This plan shall be, and remain in full force and effect unless and until terminated by a vote of the majority of the Employees at any annual election.

James E. Smith —Open Hearth
Chairman—General Committee

Charles P. Douglas —Rolling Mills
Vice Chairman—General Committee

Harry E. Grimm —River Dock
Secretary—General Committee

Mike Koseso	—Blast Furnace
Elmer G. Lohman	—Coke Plant
John Sabol	—Electrical
Andrew Cygan	—Power House
George A. Burns	—Mechanical
Harry M. Lancaster	—Mechanical
Harry T. Schermer	—Office
John V. Walsh	—Open Hearth
Harry Dietrick	—Police, Service & Lab.
Clifford Mackell	—Rolling Mills
Richard J. Powell	—Rolling Mills
George Troyanovich	—Rolling Mills
John N. May	—Scrap Yard
Roy C. Murdoch	—Yard Labor

BOARD'S EXHIBIT NO. 92

Republic Steel Corporation

General Offices, Republic Building,
Cleveland District
(Republic Steel Insignia)
Reg. U. S. Pat. Off.

January 19th, 1937.

Mr. J. Exall,

1516 East 47th Street,

Cleveland, Ohio.

Dear Sir:

We are enclosing our Pay Roll check number A 6852

which covers services rendered to date as an Employee Representative.

Yours very truly,
Republic Steel Corporation,
C. A. Broberg,
Works Accountant.

CAB
YK
MMM
Enclosure

(Envelope)

Republic Steel Corporation
Republic Building
Cleveland, Ohio.

Cancelled 2¢ Stamp
Cleveland, Ohio,
Jan. 19, 1937
11 P. M.

Mr. J. Exall,
1516 East 47th Street,
Cleveland, Ohio.

BOARD'S EXHIBIT NO. 93

MINUTES OF REGULAR MEETING

General Committee — Employee Representation
Hospital Building — October 13th, 1936.

The meeting was called to order with all members present, and the minutes of the previous meeting were read and approved.

Unfinished Business

The recent ruling that employees are not permitted to work more than six days each week was discussed at some

length and it was moved by Mr. Smith and seconded by Mr. Walsh, that Mr. Wakefield, Management's Representative be called into the meeting to answer whether this ruling applies to six consecutive turns or whether it is meant six turns in any one week. Mr. Wakefield's answer was to the effect that this ruling applies to six days in a calendar week and not to six consecutive turns.

The letter to the Management relative to the Factory Stores was discussed and Mr. Wakefield reported there was no answer as yet.

The committee discussed the Overall Rental Plan after which it was decided to turn the matter over to the Health & Sanitation Committee who will contact the Overall Company in order to clear up some questions.

Relative to the approach to the Open Hearth Service Station, Mr. Wakefield stated that the Mechanical Department would begin work on this in the near future.

Mr. Bradley asked relative to the request for a pistol range for employees, and Mr. Wakefield stated he would take this up with Capt. Jones.

Mr. Matchuric brought up the question of whether it would be possible to divide short turns between the Billet and Sheet Bar Crews. Mr. Bradley stated this had been taken up some time ago and it had been explained to him that these were two entirely different crews, working at different jobs, and that it would be impossible to split this time between these crews.

New Business:

Mr. Exall stated that someone had broken into lockers at the Dille Gate Washroom. Mr. Wakefield said there had been previous reports of similar happenings in other locker rooms and that the matter was now up to the Police

Department who are investigating this. After some discussion it was moved by Mr. Sisk and seconded by Mr. Bradley, that this committee recommend that the Management offer a reward of $50.00 to anyone furnishing information leading to the arrest and conviction of those doing this stealing. Motion carried.

Cleanliness of Washrooms and Locker Rooms was discussed, and Mr. Wakefield asked for co-operation from all representatives in educating employees to use the containers provided for refuse, in order to keep these places in a clean and sanitary condition.

Mr. Sisk asked Mr. Wakefield to inquire whether it would be possible to erect a number of garages near the Dille Gate to be used by employees at a monthly rental.

Mr. Wakefield read a letter from the Truscon Steel Company stating that at their Sales Office located at 1844 Euclid Ave. they have a number of Vacuum Cleaners which were used as demonstrators and are now offered to employees at a considerable reduction. They are fully guaranteed, and one year's free service is given. These Cleaners were formerly priced at $79.50 but are now being sold to employees for only $49.50.

Attention was called by Mr. Wakefield to Safety in the plant, and that the Management would appreciate the help and co-operation of the representatives in furthering the safety movement and in educating employees to be safety-minded at all times.

At this point the committee recessed for lunch, reconvening again at 1:30 P. M. with all members present.

There was a discussion by the committee relative to a general wage increase, and it was moved by Mr. Exall and seconded by Mr. Bradley, that the Management be

contacted with a request for a 15% general wage increase. Motion carried.

The order issued by the Management preventing employees from changing turns with fellow workers was discussed, and a motion was made by Mr. Sisk, seconded by Mr. Bradley, that a letter be sent to Mr. H. B. Carpenter, District Manager, asking for a re-consideration of this ruling, which carried.

Reports of Committees:

The minutes of the various sub-committee meetings were read by the Secretary and accepted as read.

The report of the Wages, Tonnage Schedules, Methods & Economies Committee stated that the Mill men who are on tonnage now receive the same tonnage rate regardless of the amount of tonnage rolled. This had been requested by the men.

The Mutual Relief Committee made a report of their tour of several Institutions supported by the Community Fund, where they observed some of the good work being done to aid the less fortunate people of this city.

In making a report of the Clam Bake held September 26th, the Athletics & Recreation Committee extended its thanks to the Management for its donation, as well as the Factory Stores who furnished several prizes, and all others who helped make this affair a success.

General Discussion:

Mr. Grimm stated that some member or members of the committee seem to be working under cover and are trying to break up the effectiveness of this organization by underhanded methods, and that someone was giving copies of all minutes of this committee to non-employees. To stop

this action in the future, it was moved by Mr. Grimm and seconded by Mr. Koscso, that in place of minutes being sent to all members for posting, the posting of minutes be taken care of through the office of Mr. Wakefield. This would assure a copy of the minutes at all regular posting places, and if any member of the committee desired an extra copy they should take it up with Mr. Wakefield. Motion carried.

Mr. Bradley spoke relative to a traffic light or some protection at Dille Road and Broadway. Mr. Wakefield stated this had been taken up many times with the City Traffic Department and that at times an officer is stationed at this point. He also said he would again call this to the attention of the proper authorities.

Mr. Wakefield called attention to the posters which were put up regarding Citizenship Classes, and stated that this department would assist employees in every way possible to obtain Citizenship papers.

There being no further business, the meeting adjourned.

John N. May,
Chairman, General Committee.
Harry E. Grimm,
Secretary, General Committee.

BOARD'S EXHIBIT NO. 94

MINUTES OF REGULAR MEETING

General Committee — Employee Representation
Hospital Building — November 10, 1936.

The meeting was called to order with all members present.

Minutes of the last regular meeting of October 13th were read as well as minutes of special meetings held at the Main Office on November 4th and 7th, and were approved as read.

Unfinished Business:

It was reported that work on the approach to the Open Hearth Service Station would begin as soon as the material which has been ordered for this is received.

On the question of a Pistol Range for employees, this had been referred to Captain Jones and so far no reply has been received.

Relative to the traffic hazard at Broadway and Dille Road, this is being taken up through Mr. Voss with City officials.

Answering a request that the Management offer a reward of $50.00 to anyone furnishing information leading to the arrest and conviction of persons stealing in the plant, it was stated that this was not approved.

The suggestion made by Mr. Sisk that the Management erect garages for employees was not approved.

The matter pertaining to prices charged by Factory Stores was discussed, and a letter from Mr. Voss to Mr. Carpenter on this subject was read to the committee. Mr. Voss stated in his letter that he had taken this up with Mr. Doron of Factory Stores, who informed him that the prices charged are standard and current prices for these commodities. It was then decided that the General Committee had no power to do anything about getting prices changed and to drop the matter of complaints against Factory Stores prices.

Mr. Walsh asked relative to the request for a Service

Station in the Old Open Hearth Office and was informed that work would begin on this improvement in the near future.

New Business:

The recent general wage increase as announced by the Management was discussed by the committee, and it was brought out that some employees were not entirely satisfied with the amount of the increase.

Mr. Vicha stated that he felt that Mr. Eward, Machine Shop Foreman, was not entirely co-operative towards the Representation Plan, and felt that Mr. Eward was standing on a small technicality in referring to the wording of a certain paragraph in our Book of Rules, and that he would like to have the committee clear up the procedure that must be taken when a complaint is brought up. This was discussed and it was finally decided to call Mr. Eward to the meeting and discuss the matter with him. Mr. Eward was contacted and agreed to attend the meeting right after lunch.

At this point the meeting recessed for lunch, reconvening again at 1:30 P. M. with all members present except Messrs. Schermer and Walsh. Mr. Eward came into the meeting and in the discussion which followed, it was brought out that the intent of the Representation Plan was to obtain co-operation from all concerned, and that while the wording of some particular paragraph might be misleading, the committee felt that supervisors should not stand on mere technicalities. Mr. Eward agreed to discuss any matter that came up in the future with the representative of his department.

Several matters pertaining to plant policy were discussed and it was moved by Mr. Mundee and seconded by

Mr. Bradley, that these questions be written up and that the General Committee reconvene for a meeting on Tuesday, November 17th, at 3:00 P. M., to discuss them and present same to the Management. Motion carried.

Reports of Committees:

Minutes of the regular meetings of the various subcommittees were read, and the report of the Health and Sanitation Committee state they had a meeting with representatives of the Cleveland Overall Company regarding the Uniform Rental Plan for employees. It was later stated that there would be another meeting on Monday, November 23rd, with a representative of the Overall Company to clear up a few points in question, after which employees will be notified as to where and when they can make application for these uniforms.

The minutes of the Mutual Relief Committee contained a report on the Credit Union Plan, and Mr. Wakefield was asked to try to obtain a quantity of literature pertaining to this plan for distribution to all interested employees. Mr. Wakefield stated he would try to get this literature and that it would be well for each Representative to contact the men in his department to determine if there is enough interest to organize a Credit Union in this plant.

Complaints:

Several complaints were brought up for discussion, but inasmuch as these had not come to the General Committee through the regular procedure, there was no committee action on them.

General Discussion:

The question of consolidating all Employee Representative Groups of the Republic Steel Corporation was

brought up by Mr. Bradley and discussed by the committee.

At this point the meeting recessed until Tuesday, November 17th, at 3:00 P. M., and on that date Roll Call showed all members present except Mr. Walsh.

There was some further discussion relative to the wage increase which averages 10%, and it was moved by Mr. Matchuric and seconded by Mr. Bradley, that it be reported that the request for a 15% wage increase could not be granted at this time.

Questions previously referred to as being Company policy were reported and discussed, and the entire list was turned over to Mr. Wakefield for consideration by the Management.

As Chairman of the Health & Sanitation Committee, Mr. Mundee said he had investigated a former complaint that steam used for heating water for washing purposes was injurious to hair and skin and had found this was decidedly untrue. He stated that while it was not to be used for domestic purposes, the chemicals used to purify the river water were in no way injurious to a persons health when used for toilet purposes.

Mr. Sisk asked relative to the Company policy in selling denatured alcohol to employees at cost, and Mr. Wakefield stated he had not taken this specific matter up with the Management this Fall, but that a year ago had decided not to go into this.

There being no further business, the meeting adjourned.

John N. May,
Chairman, General Committee.
Harry E. Grimm,
Secretary, General Committee.

BOARD'S EXHIBIT NO. 95

MINUTES OF REGULAR MEETING

General Committee — Employee Representation
Hospital Building — January 5, 1937.

The meeting was called to order by Chairman May and Roll Call showed all members present.

Minutes of the last regular meeting were read and approved as read.

Unfinished Business:

The matters under this heading had been settled with the individual Representatives before the date of this meeting.

New Business:

Mr. Mundee suggested that there be a watchman on duty in the Parking Lot at Independence Road to see that cars are properly parked, which would allow room for quite a number of additional cars.

Mr. Bradley brought up the matter of lockers being broken into in a number of Locker Rooms. During this discussion it was discovered that in several departments lockers had been opened, and personal property, not including money, had been taken, and it seemed there was a systematic search for personal belongings of some employees. This is being taken up through Mr. Wakefield with Captain Jones of the Police Department for further investigation.

Mr. Exall stated that in the past there has been some propaganda going around as to his status, and in order to

get the matter settled once and for all, he declared himself as being a member of the C. I. O.

The question of whether Pay Day might be every other Friday in place of twice monthly was brought up by Mr. Walsh, and later in the meeting Mr. Wakefield stated he had taken this matter up and that it would be impossible for the Time Office to make up their records in order to pay every other Friday.

The meeting recessed for lunch, reconvening again at 1:30 P. M., with all members present.

Mr. Caretti asked relative to the Lost and Found Boards which were formerly at the Gates, and Mr. Wakefield said he would take it up to see if they could be re-installed.

As a Safety suggestion, Mr. Walsh recommended that the Sunoco Oil Company be contacted relative to the bright light on a pole in their yard near the top of Independence Road which blinds drivers at that point. Mr. Wakefield stated he would have this investigated.

At this point, Mr. Korecky, a former representative who had been laid off on account of discontinuance of the Speed Car service was invited into the meeting. He stated he was much in need of work and felt that because of his previous service he should be given a chance at least in the Labor Department. Mr. Wakefield stated that he hoped to be able to obtain employment for these men very soon.

Mr. Walsh reported that progress is very slow on the Service Station which is being installed in the Old Open Hearth Office.

Mr. Caretti again asked regarding chances for a new Labor Department Service Station and Mr. Wakefield

stated that the Engineering Department had been ordered to draw up plans, but that there was nothing definite at this time.

The condition of the road inside the plant was discussed and Mr. Wakefield said he would see what could be done towards making a permanent improvement.

During the early part of the meeting Mr. Caretti brought up the question as to the company policy of working seven (7) days in one week, and in the presence of Mr. Wakefield this question was again brought up by Mr. Sisk. Mr. Wakefield stated that the company policy was to work not more than six (6) days in any one calendar week.

Reports of Committees:

Minutes of the various sub-committees were read and approved.

The minutes of the Mutual Relief Committee contained a report on the Credit Union Plan. This was discussed by the committee and a motion was made by Mr. Schermer and seconded by Mr. Smith, that Mr. Clarke, the representative of the Credit Union Association be invited to meet with those employees who are interested in obtaining further information, this meeting to be held within approximately two weeks. Mr. Clarke was contacted after the meeting and it was found that he would not be available at the time mentioned, so the matter will be referred back to the Mutual Relief Committee.

The Health & Sanitation Committee reported some misunderstandings relative to the service on the Overall Rental Plan, and a meeting of this committee with representatives of the Overall Company has been arranged to straighten out the various complaints.

General Discussion:

Mr. Grimm stated his views on the question of Unionism and said that because he had attended a meeting in Pittsburgh, some members of the committee and some employees seemed to be under the impression that he was an active member of the C. I. O. This was an entirely wrong understanding, and Mr. Grimm stated that he had no connection whatsoever with the C. I. O. and does not approve this organization or its activities, after which a motion was made and seconded that the meeting adjourn. Motion carried.

John N. May,
Chairman, General Committee.
Harry E. Grimm,
Secretary, General Committee.

BOARD'S EXHIBIT NO. 96

September 10, 1936.

Messrs: Harry Mundee, David Caretti, John Exall, James Fox, Fred Korecky, Mike Koseso, Harry Lancaster.

Gentlemen:

The Health and Sanitation Committee will meet on Monday, September 14th, at 1:00 P. M. in the Hospital Building and will make a tour of inspection around the plant.

Yours very truly,
Harry Mundee,
Chairman.

AF

BOARD'S EXHIBIT NO. 97

Republic Steel Corporation
and Sudsidiaries

General Offices Republic Building, Cleveland, Ohio.
(Republic Steel Insignia)

TO OUR EMPLOYEES:

The following statement is being made so that you will know the attitude of Republic Steel Corporation toward the effort of the Committee for Industrial Organization (C. I. O.) to force the Company to sign their Union contract. In its effort to secure such contract, C. I. O. has threatened to call a strike.

You have a vital interest in this situation. It involves your right to work in peace and to support your family in comfort. We are not convinced that the C. I. O. contract is for the best interests of the employees or the Company.

On March 31st, 1937, Republic Steel Corporation received at the Cleveland office a mimeographed letter from the Steel Workers Organizing Committee, affiliated with the Committee for Industrial Organization, Pittsburgh, Pa., with an enclosed copy of a Union agreement, which the Union demanded that the Company sign.

According to their practice, C. I. O. followed this letter with a telegram on May 3rd from Clinton S. Golden, Regional Director, S. W. O. C., Pittsburgh, Pa., threatening a strike in Republic Mills unless an immediate conference was arranged to negotiate a written contract.

On May 5th, the Company replied with a telegram stating that, in view of the Wagner Act, it saw no necessity

for a signed contract. The telegram also stated that the Company would continue its policy of bargaining with representatives of its employees and suggested a meeting with C. I. O. representatives in the Company's office, Cleveland, Ohio, on May 11th.

On May 6th, the Company received a second telegram from the C. I. O., stating that a meeting with Company officials would be "futile and a waste of time and energy," nevertheless, on May 11th a meeting was held in Cleveland.

The C. I. O. made no complaints relative to wages or hours of Republic employees. In spite of this, the Union demanded that the Company sign their Contract.

This is the only matter at issue, and the Company at the May 11th meeting informed the C. I. O. representatives that it still believes it inadvisable to sign such contract, from the standpoint of its employees and of the Company itself.

Among the reasons for this decision are:

1. Thousands of our employees, through their representatives, have protested against the signing of any agreement by the Company with C. I. O. The employees of Republic now have a successful plan for collective bargaining, in which plan a large majority of the employees participate.

2. A study of the proposed contract shows that the wages, hours, safety provisions, vacation plan, seniority rules and methods of handling grievances specified in the proposed contract are no more favorable than those now enjoyed by you.

3. Both parties to a contract should be responsible. Republic is held by law responsible for acts of its officials.

C. I. O. does not assume the same kind and measure of responsibility.

4. The policy of Republic Steel Corporation is that NO EMPLOYEE HAS TO JOIN A UNION TO GET OR HOLD A JOB. Although the proposed Union agreement, by its language, does not disclose the ultimate objective of a closed shop, C. I. O. organizers have stated that the signing of the Carnegie-Illinois agreement "will result in the complete unionization of the entire industry." Republic does not believe in the closed shop principle.

5. The signing of a C. I. O. Union contract would be unfair to the workers who do not favor the Union as their collective bargaining agency and to those who prefer to deal for themselves individually with the Company. Coercion would be used by the Union in an attempt to force these workers into the Union against their wishes causing them to surrender, for all practical purposes, their rights to deal with the company except through the C. I. O. on such vital questions as wages, hours and working conditions.

6. Such a step would disturb the present harmonious relations with our men and break down the mutual confidence which has existed in collective bargaining matters between the workers and Management.

7. The signing of C. I. O. contracts in other industries has not resulted in industrial peace. Notwithstanding signed agreements, sit-down strikes and other interruptions of work have occurred in the automotive and other industries.

The policy of this Company has been, and is now, that it is willing to meet with anyone to bargain with him for whomsoever he represents.

Republic believes that every employee is entitled to determine for himself, free from discrimination, interference, restraint, coercion and intimidation by anyone, whom he wishes to represent him in the matter of collective bargaining. In view of the foregoing facts, and because of the Wagner Act and recent decision of the United States Supreme Court, Republic Steel Corporation sees no necessity for signing the C I. O. contract.

The Company is willing to continue to bargain collectively with its employees as in the past. MEMBERSHIP OR NON-MEMBERSHIP IN ANY ORGANIZATION IS NOT A REQUIREMENT OF EMPLOYMENT.

Republic Steel Corporation.

May 11, 1937.

BOARD'S EXHIBIT NO. 98

Republic Steel Corporation
and Sudsidiaries

General Offices Republic Building, Cleveland, Ohio.
(Republic Steel Insignia)

TO OUR EMPLOYEES:

With the strike called by the C. I. O. against Republic Steep Corp. now in its third week, I want to give you a first-hand account of the situation existing throughout the Corporation.

Plants at Buffalo, Chicago, Canton, Warren and Niles are operating in spite of the armed pickets surrounding the properties. The sixth open hearth furnace and the wire mill have been started at Chicago.

At all of these plants, increasing numbers of men are

returning to work daily notwithstanding the hostile picket lines. Employees at these places are being housed and fed in the plants. At Warren and Niles food is being flown to the men in planes.

Plants at Youngstown and Cleveland are not operating. At Gadsden and Birmingham no strike is in effect and plants are running full.

On Thursday, June 10th, the plant at Monroe, Michigan was started and is operating at normal capacity. The opening followed an election held by the Mayor, in which 856 men voted to return to work and 20 voted to continue to strike.

Movements similar to that which resulted in opening the Monroe plant are spreading rapidly in other affected communities. Employees kept from their jobs by mobs of armed pickets many of whom have never worked for Republic, and citizens, outraged by this defiance of law and decency by the C. I. O., are joining together to insist that law enforcement agencies compel the union to cease unlawful picketing.

In Canton an election among employees, conducted by the Canton Chamber of Commerce, resulted in 3633 votes to return to work; 216 votes to continue the strike; and 39 ballots marked "not voting." In this election 2516 counterfeit ballots were returned but were not considered by the election committee, consisting of three ministers. Following this vote, a citizen's Law and Order League is being formed to aid in law enforcement.

In Youngstown, pickets are being disarmed by the Sheriff and citizens are becoming aroused at the unlawful procedure adopted by the C. I. O. union in maintaining its picket line.

Republic and its employees ask only that civil authority and respect for law be re-established so that the plants can operate and men can go to and from their jobs unmolested. There is every evidence that the men at work and the men who want to go back to work if permitted, constitute a large majority of Republic employees. The C. I. O. admits this when it uses force to keep men from their jobs.

On Friday, June 11th, a conference was held at Columbus, Ohio, with Governor Davey at the executive mansion. Representatives of Republic attended, and stated that there was no change in the company's position on the matter of signing the contract with the C. I. O.

Although the position of the company in the present controversy has been frequently set forth, I find that there are some who apparently do not understand why Republic will not sign the contract with the C. I. O. I want to be very sure that all of our employees do understand our reasons. No questions of wages, hours or collective bargaining are involved in the present strike.

No doubt some of your friends say to you, "If Republic is willing to bargain collectively, why won't they sign a contract?" It all sounds very simple. But it isn't simple at all.

If you will dig below the surface, you will see that the issues involved in this controversy are far deeper than simply whether officials of Republic will or will not put their names on a piece of paper.

The real issues have to do with the nature and character of the parties involved, and the use to which this contract, if signed, would be put.

The reason the C. I. O. wants a signed contract is be-

cause such a contract would be the first step toward the closed shop and the check-off.

This isn't merely a guess. This is based upon widely publicized statements by John Lewis, Homer Martin and other C. I. O. leaders. These statements stand on the record. They have never been denied.

Under the closed shop, every worker has to belong to a union, whether he wants to or not. The closed shop is actually a "deal" between the employer and the union whereby the employer helps to force every employee into the union.

Under the check-off, the company takes union dues out of the pay envelopes of all its employees, and hands them over to the union. That is a violation of the rights of the individual workman. Every man's pay is his own.

Let's consider the nature of the parties to the present controversy.

On the one hand you have Republic Steel Corporation. That word "corporation" is important. This corporation is held responsible by law for its actions and those of its employees while engaged in company business.

In short, Republic is a responsible party to any contract.

Now let us look at the C. I. O.

Does the C. I. O. contract preserve industrial peace? It does not. They have broken numerous contracts. Since various automobile and other manufacturers have signed C. I. O. contracts there have been scores of strikes and hundreds of thousands of men thrown out of work at those plants.

Does the C. I. O. contract give job security to employees? It does not. Jobs depend upon business conditions, which are now being imperiled by C. I. O. strikes and lawlessness, at a cost of billions of dollars in lost wages. To date Republic employees alone have lost forever nearly $3,000,000 in wages.

Does the C. I. O. conform to the laws of our country? It does not.

In the present strike it has defied all law and decency in its picketing methods. It is attempting to prevent free American citizens from earning a living at jobs they want to pursue. Its members have been tearing up railroad tracks, blocking United States mail trucks, beating up hundreds of men, defying local authorities by massing troops of armed pickets, stoning workmen's homes, and shooting at airplanes.

Would you, yourself, sign a contract with a man who clubs his neighbor over the head, kicks the postman out of your yard, throws bricks through your parlor window, and has already broken a contract with the man across the street?

By contrast with this reign of violence Republic has unfailingly obeyed the laws, and has made every effort to avoid violence of any kind.

So, when you get all through, the present controversy sums up somewhat like this:

Must Republic and its men submit to the communistic dictates and terrorism of the C. I. O?

If America is to remain a free country the answer is NO.

Tom M. Girdler, Chairman.

BOARD'S EXHIBIT NO. 99

WHAT THE EDITORS ARE SAYING ABOUT THE REPUBLIC STRIKE

No. 2 Reprinted by Republic Steel Corporation No. 2

(Reprinted from Cleveland Press, June 12, 1937)

FAIR ENOUGH

No Contract with any Union is Worth Much Unless There Is Found Mutual Responsibility

by Westbrook Pegler

NEW YORK, June 12—Senator Gaffey blames the steel trouble on the refusal of three companies to sign contracts with the C. I. O., and, granting only for the sake of argument that it is so, the contract with the C. I. O. isn't worth a damn and won't be until the law provides some penalty in case of repudiation by the C. I. O.

In fact, no contract with any union is worth any more than a treaty with Mussolini, nor will be until there is mutual responsibility, as there must be in any contract that is a contract.

Under present conditions the employer is bound to observe the agreement down to the last comma and concede all borderline cases to avoid penalties, including, possibly, a term in jail. But a union has no more responsibility than a cyclone, and a leader who may be a thief or a dictator on the rise, with ambitions to emulate Stalin, Trotsky or the Duce, may treat a contract as a scrap of paper if it suits his convenience to do so.

Suppose the C. I. O. does break a contract dictated by its own representatives and backed on one side by the law, the Government and the employer's property, and on the

other side by nothing. Who is going to do what to whom? Nobody is going to do anything to anybody.

Need Broad Inquiry

So why should any employer sign a contract with the C. I. O. if he doesn't have to? Senator Guffey proposes a rather wide investigation of the steel strikes, but while they are at it the statesmen could do much worse than inquire into the affairs of labor in general, with an eye to coercion, extortion and the unofficial but inescapable income tax which is levied on the earnings of nominally free American workmen by labor unions to which many of them have no desire to belong.

This income tax falls heavily on a class of people in brackets so humble that the Federal Government deems them too poor to contribute, and this is not to quarrel with their exemption. But if Mr. Guffey were to pursue the matter he undoubtedly would find many employees earning as little as $18 or $20 a week and exempt from the income tax, whose right to earn a small living has ceased to be a right and becomes a concession sold by private organizations having no responsibility for their actions.

There is no ground for criticizing the voluntary payment of dues to labor unions by people who want to belong, but when membership becomes a necessity preliminary to employment, then the dues are not voluntary payments, but extortion or at least a tax.

Senator Guffey might find in the course of a general investigation of union affairs that the rank-and-file workman has very little voice in the business of his union, but is whipped around by professional leaders who are experts in their line and the masters of parliamentary tricks which nullify the rights of the individual.

Cites Labor "Courts"

The public courts have been in some dispute, the more so since Mr. Roosevelt began his campaign against the prestige of the Supreme Court, but that seems to be no excuse for the establishment of private courts in labor unions with the right to inflict severe financial penalties on reluctant members even up to permanent banishment from the occupation for which they have been trained.

If Senator Guffey were to extend his investigation of the steel strike he might find that the union members now need the Government's protection against union dictation as badly as they ever needed laws to protect them from unscrupulous employers.

He might find ruthless dictatorship robbing the children of the workers, and courts inflicting punishments, all without responsibility, under the protection of the United States Government, and in the guise of altruistic labor leadership.

It is worth looking into.

(Reprinted from Detroit Free Press, June 12, 1937)

MONROE TAKES A STAND

With the aid of a Mayor who understands his public duties, the independent steel workers employed in the Monroe plant of the Newton Steel Co. returned to work Thursday in defiance of the labor autocrats of the C. I. O.

Before doing so, they sent a telegram to John L. Lewis, which said:

"This plant has been closed because you or one of your generals pushed a button, and ordered it closed. Neither

the men working in the plant nor the company had anything to say about it.

"We have been out of work for two weeks and we don't like it. We have heard that you are a friend of the workingman, but all you have done for us is cost us two weeks' work already, and still you are trying to keep us from going back to work. * * *

"Do you believe in the right of free American citizens to work if they choose to work? If you do, prove it by taking your imported pickets out of Monroe."

This is clear and to the point, and it fully illuminates the situation for the public.

The one real issue in Monroe which led to the clash Thursday evening is whether peaceable American men are to have the right to work for an employer of their choosing, free from interference by muscle men, free from terroristic intimidation, and free from involuntary servitude to a power-mad labor organization they neither desire to join nor help finance.

The question at issue is a question of fundamental human liberty.

Happily in their time of need the wage earners in Monroe received an aid and support that unorganized wage earners in other places in Michigan generally have been denied or at least have failed to get.

In actively protecting the employees of the Newton Steel plant in their right to earn a living and take care of their families, and in making it clear that they intend to keep on doing so, Mayor Knaggs and the Monroe police have performed a healthful public and patriotic service, and they deserve high commendation and support.

So do the American Legionnaires and voluntary police who have aided them, and stand with them.

These men have used forceful methods but no more forceful than necessity demanded. And they were in no sense interfering with any legitimate labor movement. Quite possibly some of them have union affiliations.

They simply are undertaking to uphold American law, order and individual liberties against elements which are trying to substitute personal rule of their own based on force and intimidation.

In other places throughout the State, these elements have had their way and are still having it.

But Monroe has called an emphatic halt, and the people of the State will hope that what has been done will mean a "new deal" for free labor in Michigan, and the beginning of an ebb of the mob spirit in favor of new respect for private rights.

However, much is bound to depend upon the attitude and conduct of the State Administration, and we are sorry to say that up to this time, it seems to have quite failed to understand the gravity of the situation Michigan faces, or the peremptory nature of its duty in the premises.

The people of Michigan need protection from high-handed invasion and from lawlessness and they have a right to expect [piece torn from copy] provide it.

(Reprinted from Pittsburgh Post-Gazette, June 10, 1937)

BOAKE CARTER SAYS

I Wonder. Pointed Questions. What's the Answ.

I wonder:

Why striking steel workers, when they buried their dead after the clash with police near the Republic Steel

Corporation plants outside Chicago, had to bring their children to stand and look at the caskets;

Why they encouraged their CHILDREN to distribute black-bordered pamphlets bearing the inscription: "Blood on Steel".

Why encourage small children, who are too young to understand, to grow up in an atmosphere of hate? What have they got to do with the row between the CIO and the Republic Steel?

Childhood is the only happy time one has in life. What is the point in dragging them to participate in something which will leave its mark and color their lives for all time?

The pity and disgrace of it all is that these hapless youngsters were the innocent victims of their parents' selfishness, who used them primarily to stir sympathy. Sympathetic feelings, on the contrary, are not engendered among thoughtful people. Instead they wonder why striking fathers cannot fight their own battles, without resorting to refuge behind the innocence of little children to gain their ends.

What the Editors Are Saying about the Republic Strike No. 2

(Reprinted from Chicago Daily Tribune, June 10, 1937)

MORALE OF C. I. O. CRUMBLES FAST IN YOUNGSTOWN

MEN GRASP FACT FIGHT IS NOT FOR BETTERMENT

(Chicago Tribune Press Service)

Youngstown, O., June 9.—(Special.)—It now appears

that if officials of the Republic Steel company and the Youngstown Sheet and Tube company hold out for perhaps another ten days, the Steel Workers Organizing Committee and John L. Lewis' Committee for Industrial Organization are due for their first major defeat in this Mahoning river valley.

In spite of the tenseness in the six steel mill towns in the area, there is a steady loss in enthusiasm for the strike among the 32,000 workers who have been out of jobs for 13 days. Union leaders are doing their best to whip up sentiment but are finding the task more and more difficult.

These indications are inescapable for observers here. And even the first efforts of Ohio's Gov. Davey at Columbus to bring union and company leaders together seems to have little weight among the strikers at this time.

Explanation of Developments

There are several reasons for this. Gov Davey, although a Democrat, is known to be highly unpopular with the national administration and with President Roosevelt. In efforts to bring about peace Davey will lack the support which was so freely accorded Gov. Murphy of Michigan in the General Motors strike.

Men in the rank and file of the strikers, the strike leaders and the officials of the companies affected, all know these facts. A few of the strike leaders will admit in private that they do not expect to obtain any results from their attendance at the conferences called by Davey for Saturday in his capital office.

They say that the governor is to be given his innings so that after the negotiations he conducts are unsuccessful it will be possible to appeal directly to the President in the hope that he may break all precedents and intervene

personally. They explain that they want to be able to approach him with the plea that they have exhausted their remedy in all lower courts.

Responsible Workers Cooling

To the average striker, who already is beginning to feel the economic pinch of no income, all this strategy means merely that it will be weeks longer before he will be again at work. Sober heads of families already are shaking their heads. The backbone of the strike now consists of the younger hot-heads.

After seeing the strike army in operation, both in staff and in field, the conclusion is inevitably reached that this strike was called before the proper groundwork was laid. Preparations were not carefully made, organization of the men had barely begun, and no responsible leaders from among the steel workers themselves had pushed to the fore.

The result is first that the strike leaders are men from Lewis' own miners' union and not steel workers. John Owens, chief of staff for the military organization of the strikers here, is one example. He is a former miner who is neither well known nor implicitly followed by the steel workers.

Steel Men Are Left Out

Although Owens has a number of steel men on his general staff, the important posts—the posts where leadership is required—are filled by trusted C. I. O. organizers. These men are professional agitators who are not too familiar with the problems of those they lead and who are wholly unfamiliar with the pride of the steel worker in his craft.

All this is reflected in the dwindling picket lines, the poor attendance at mass meetings, the general listlessness of the great mass of strikers here. All the incidents which

have occurred to date have been the result of careful planning by leaders of the strikers' shock squads.

The spontaneity of outbursts by men with real grievances has been conspicuously lacking.

The C. I. O. leaders [piece torn from copy] first realized that this strike is revolutionary and political, rather than economic. The average worker just now is beginning to find this out. Just now they are beginning to talk among themselves about the futility of striking merely to get their employers to sign a piece of paper.

Drafted for Picket Lines

And so the C. I. O. leaders now have been forced to institute a system of registration for pickets. In effect this is a conscription system which will insure the attendance of pickets at points where they are wanted. Many of the strikers also are being recruited by company back-to-work groups.

While a group of strikers today was circulating one petition seeking the removal of Sheriff Ralph Elser for his inflammatory conduct during the strike, another group of the back-to-workers was preparing a petition to the sheriff asking for his protection if they succeed in arranging with bosses to re-open the mills.

(Reprinted from Warren Chronicle Tribune, June 8, 1937)

LETTERS TO THE EDITOR

Hits Intimidation

Editor Tribune:

Just a few lines from an honest American citizen and an employe of Republic Steel Corp. for 15 years.

I would like through the medium of your column to ask executives of CIO how they expect to gather in converts, when they tolerate intimidations on the families of the loyal employes who chose to remain at their jobs. We who remained in the mill are not complaining about the stopping of mail trucks, the effort to shut off our food supply by shooting at the planes transporting our food. But when they stoop to the filthy practice of sending men with disguised faces to the doors of our families, I just cannot conceive anybody having the nerve to solicit members to an organization that tolerates such practices and knowing that you would have to associate with men who violated all the laws of American principles and decency. Why don't we fight this issue like men. Men of the type our good American mothers wanted us to be. We have been called sewer rats and God knows what not. But I gladly prefer to remain one of the rats and at least be decent and a gentleman.

--Satisfied Worker.

Tells of Conditions in Mill

Editor Tribune:

I have been employed in the Warren Works of Republic for almost 15 years and a homeowner and taxpayer on real estate for over 10 years. As such I wish to say the following regarding conditions here in the mill. We have plenty of good food and places to sleep in spite of the efforts that have been made to prevent it.

Except for the hot mills the plant is working with slightly reduced schedule. I believe I am expressing the attitude of most men here when I say I would not go over and take one of the hot mill men's jobs while they are out if I was offered title to half Republic Steel for so doing.

We never have had nor do we now have any quarrel with any group of employes in the mill but we certainly are angry to see a gang among whose faces we see very few known to us, cut telephone wires, stop mail trucks, tie up railroads, shoot at planes and prohibit neutral citizens and taxpayers from walking the streets and traveling the highways which they pay taxes to maintain Democracy never has been based on mob rule and if it permits an organization of any kind which practices mob rule to grow too large then democracy will no longer exist.

—Paul Mitcheltree.

(Reprinted from The Sun, June 8, 1937)

NECESSARY CORRECTION

The inscription across the facade of the New York Post Office is now limited to the words of Herodotus:

> Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds.

Postmaster-General Farley should add the following:

> Unless John L. Lewis says otherwise.

(Reprinted from The Washington Post, June 7, 1937)

WHERE RESPONSIBILITY LIES

The refusal of postal officials to accept food packages for delivery to beleaguered workers in plants of the Republic Steel Corporation shows how completely the law-enforcement machinery of the affected communities has been paralyzed by the terroristic tactics of the C. I. O. strikers.

The Postoffice Department should not be blamed for refusing to subject its employes to the ordeal of running past hostile picket lines. It is neither a law-enforcement agency nor a strikebreaker. It cannot be expected, therefore, to function effectively under conditions that expose mail carriers to violent attacks by enraged strikers. At such times the wise policy is to hold aloof and not risk the shedding of blood.

The methods adopted by C. I. O. leaders in certain areas to force these workers to surrender are more disruptive of the peace of a community, and certainly more dangerous to life and limb, than the deservedly condemned sit-down strike.

Expansion of the "sit-down" technique was abruptly checked when labor realized that public opinion was becoming profoundly hostile to such demonstrations and that the law-enforcement agencies of government were in a mood to deal more severely with illegal occupancy of property.

(Reprinted from New York Times, June 7, 1937)

BESIEGED STEEL PLANTS

For more than a week workmen in the plants of the Republic Steel Corporation have been besieged by strikers who have thrown cordons around the company's properties in the Youngstown district. So far the news indicates the men in the plants are not "strikebreakers" in the accepted sense of that word and in the sense in which it is defined in the Government's new Wage-and-Hour Bill. Under the terms of that measure a "strikebreaker" is a person "employed to do work wholly or in part theretofore done by a regular employe", where such person is known by the employer to have no intention of accepting regular employ-

ment or is paid for the work done by him a higher wage than the wage paid to regular employes.

There is nothing to indicate that the men now besieged in the plants of the Republic Steel Corporation come under this definition. On the contrary, they seem clearly to be regular employes of the company who wish to continue in regular employment. They face great handicaps in doing so. They cannot pass safely through the lines which surround the plants. Nor can supplies of food and clothing be sent into the plants to them by any ordinary means. It is a particularly important factor, in the present situation, that local postal officials have taken the position that "irregular" packages, meaning food, etc., cannot be accepted for delivery through the strikers' cordons. This local ruling has been upheld at Washington on the ground that it is well-established postoffice policy "to maintain only normal deliveries in troubled areas". The effect of this policy, as applied in the present instance, is plainly to aid one faction in the Republic dispute at the expense of the other faction.

It is apparently a vain hope to look to the Wagner Labor Relations Act for an early solution of the present controversy. The Wagner act requires collective bargaining on the part of the employer, but does not require the signing of a contract. The company insists that it was bargaining collectively before the strike was called. The C. I. O. leaders who are in charge of the strike dispute this, and demand the signing of a contract. There the issue rests at present, with the C. I. O. attempting to make its demand effective by denying those regular employes of the company who do not wish to strike the right to continue working.

What the Editors Are Saying about the Republic Strike No. 2

(Reprinted from The Canton Repository, June 10, 1937)

CITIZENS FORM GROUP TO BACK LAW AND ORDER

More Than 500 at Meeting Voice United Demand for Enforcement of Law and Public Safeguards

More than 500 representative citizens from business and professional walks of life gathered at the call of community leaders at the Courtland hotel Wednesday night and banded themselves into a Citizens Law and Order league to preserve peace and insist upon the enforcement of law by constituted authority.

T. K. Harris, Rev. P. W. Welshimer, Col. Harry Frease, and Adolph Unger each discussed the breakdown of law enforcement in connection with the Republic Steel strike and suggested measures for correction.

Rev. Welshimer Said.

"We have seen the spectacle of men parading the streets in recent years wanting work. Now there is plenty of work to be done and multitudes want that work. I venture to say that 90 per cent of the men forced into idleness by this strike want to work. If they were free and unshackled they would be in the factories tonight. The tragedy is that it is a small minority keeping this large majority away from factories and denying them the God-given right to work.

Calls CIO "Dictator"

"As I came into this hotel tonight I was accosted by a young man at the door. He made this significant statement

to me: 'We propose to have this settled as we want it and if it isn't we'll bring Akron rubber workers down here and there will be bloodshed'. That is what this city confronts tonight. What is it the strikers want? They do not want more wages, changed working conditions. What they want is recognition. They insist that CIO be recognized as labor's dictator.

"We talk about Hitler and Mussolini and what we would do if we had a Hitler or Mussolini in this country, yet we have some animals in this country tonight who are as bad as these foreign dictators. What we confront tonight is the forerunner of communism. Here we have a minority opposed to government by the majority, working like termites to undermine the foundations of our government. This community has never seen this situation before. We have sabotage, blockaded streets, men standing in public thoroughfares with clubs and bricks. Homes are being wrecked and doors broken in and all of this in a civilized community where law and order should obtain.

Col. Harry Frease, then called upon for a viewpoint, said:

"The entire manhood of this community is at the disposal of the sheriff and the mayor. They need but to ask for it.

"In this present situation our state government is not run from Columbus and our national government is not run from Washington. Isn't John L. Lewis running our government, both state and national? Isn't he running our postoffice and our railroads?"

Adolph Unger, attorney, spoke as follows:

"I was one of those who went overseas to help maintain the rights and liberties of American citizens. I venture to say that 99 per cent of the ex-service men in the country

are opposed to conditions that exist today. Over in Hershey, Pa., they beheld the spectacle of the CIO flag hoisted above the Stars and Stripes. It was the ex-service men of that community who righted that wrong.

"We have no quarrel with labor. We recognize and respect the right of the working man to bargain with his employer for increased wages and better working conditions. We concede them the right to picket so long as they follow the practices prescribed by law but we do violently object to disorders, to unlawful acts, sabotage, to the appropriation of property to gain their ends.

Calls for Action

"We are going to get some action if we make strike leaders responsible for acts committed by their followers. I have read in the public prints numerous promises of public officials to do their duty. Yet we have seen law and disorder flouted and nothing done to correct this situation.

"I believe I could honestly pledge the services of every man in this gathering to a program of law and order which will correct the problem we confront now. Any man in public office who does his duty deserves the support of his community but any official who lays down on the job will receive the public's answer at the next election. We are through with continued pussyfooting by public officials. If they have been waiting for our support and cooperation they now have it. We want action and we demand action."

T. K. Harris spoke as follows:

"This city has been under mob rule for two weeks. There have been reported at least 23 separate instances of sabotage against men working in Republic plants. Their automobiles have been damaged, windows in their homes have been broken. One woman, after the windows of her

home were broken, said that seven men demanded that she induce her husband to leave the plant or they would get him and tar and feather him.

"These cases are designed by a lawless organization to put fear into the hearts of helpless wives and children of those men who are doing what the Constitution guarantees them the right to do. This is only one phase of the intimidation that is practiced against the workmen and their families.

"Perhaps our law enforcement officials should not be criticized too much as they are no worse in this respect than mayors and sheriffs of other cities where there have been strikes recently, but it is not apparent to me how they reconcile their oath of office with their conduct at this time.

Says Men Want to Work

"After the vote at the auditorium was frustrated, the Chamber of Commerce as our leading civic organization was induced to take a vote by mail. This was carefully carried out and every precaution taken to see that it was fair and unbiased. Yet when the time came to count the votes it was found that unscrupulous persons had introduced 2,516 counterfeit ballots and they did not even do a good job of counterfeiting. Comment on the totals of this vote was superfluous—results were roughly 3,600 back to work and 200 for strike.

"The men in the plant are more than willing to come out and take the law in their own hands in an endeavor to make it possible for them to go to and from their jobs in peace. There are 2,000 to 3,000 workmen on the outside who want to resume their jobs and who are willing, if necessary, to fight their way into the plant for that purpose.

"They certainly are entitled, as American citizens, to

the full protection of the law, and must be permitted to go their way peacefully. It is becoming more difficult to keep them from taking the law into their own hands."

(Reprinted from N. Y. Sun, June 7, 1937)

THE REAL TRADITION

The grave charge is made that Post Office Department employes at Niles, Ohio, have permitted strike managers to examine mail addressed to the Republic Steel plant, presumably with the right to bar its progress if they so desired. While this allegation has met with half-hearted denial in Washington, Postmaster-General Farley's deputies are saying that the policy of the department permits no delivery of "irregular mail" to a struck plant. One of them murmurs that it has been the "traditional policy" of the department for thirty years to give no aid to either side in a strike.

The only genuine "traditional policy" relating to the conduct of the Post Office Department in such circumstances is the one made unforgettable by President Cleveland in the Pullman strike of 1894:

"If it takes the entire Army and Navy of the United States to deliver a postal card in Chicago, that card will be delivered."

Mr. Farley ought to read about Grover Cleveland. There was no yellow in him.

(Reprinted from Detroit Free Press, June 8, 1937.)

C. I. O. AND THE MAILS

Hitherto it has always been the rule in America that the mails are inviolable, and that the Government will not

tolerate interference with their operation by any person, official or unofficial, on any pretext or for any reason.

The right of the people to get service without interference or favoritism has been considered axiomatic.

But many strange things that would have been considered outrageous and intolerable in other times are happening quite commonly in these days.

So it is not particularly surprising to learn that the Republic Steel Corp., of Youngstown, O., has complained to the Postmaster General in Washington because, as it asserts, postmasters in Ohio towns have refused to accept parcel post packages for delivery in this strike beleaguered plant and have even allowed C. I. O. representatives to "censor" packages addressed to persons inside its walls.

The postmasters are reported to be justifying their conduct by saying they acted on the strength of advice from an assistant United States District Attorney in Cleveland.

This may seem almost incredible, but it is of record that a New York Times representative who undertook to make inquiries about the matter in Washington over the week-end, was able to get little except angry words from Jesse M. Donaldson, first assistant deputy, beyond a fatuous statement that "the department's policy for 30 years has been to avoid aid to either side in capital-labor disputes."

Which certainly doesn't sound much like an attempt to deny the substantial accuracy of the very serious charges which have been made against his department.

Indeed, there seems to be something extremely sour somewhere, and ominous. And though the Country endures a surplusage of Congressional investigations, here seems to be a place where a searching one at an early date will be very much in order.

The matter is important to everyone, to all of us. For if parcel post packages can be held up or censored because a labor union organization doesn't want them delivered without its permission, how long will anybody's mail of any sort be safe from molestation?

(Reprinted from Buffalo Courier Express, June 9, 1937)

GOVERNMENT BY UNIONISM

Announcement by spokesmen for Mr. Lewis' CIO that it is their purpose to organize federal civil service employes brings to the front a question of vast importance to the public. It is simply this:

Is government to be directly dominated by unionism?

Of course, it may be said that government is now dominated in no small degree by unionism acting through political influence. That unquestionably is true. For the purpose of making that domination most effective, Labor maintains at Washington its great central offices from which pressure can be constantly placed upon legislators and administrators. This, however, is something aside from a union of civil employes pledged to co-operate and perhaps coercive action which conceivably may disrupt public service and even threaten public welfare.

We have just had a little example in our own city of what may come from union organization of civil employes. It was not pleasant. Fortunately, it was not carried to extremes. It was disagreeably suggestive of possibilities threatening not only the comfort but the health of the public. There are unions now of local employes, other unions of state employes, union organizations among even the teachers. It, then, is only a short advance to unions of federal employes.

The implications of such a situation are most grave. They invite serious thought of what might be involved in a strike by public employes against the public which pays them for services rendered, to promote and to preserve public welfare. A correlative thought must necessarily have to do with protection for the public by, perhaps, the passage of laws making illegal the refusal of public servants to discharge their duties under penalty of immediate dismissal.

(Reprinted from Youngstown Vindicator, June 8, 1937)

PRIMARY RESPONSIBILITY

The stopping of mail trucks in the Youngstown district, the Post Office Department's refusal to accept packages addressed to the mills, and the censoring of mail matter by strikers at Niles have caused justified uneasiness throughout the country. The situation makes obsolete the motto which the postal service has borrowed from Herodotus and displayed proudly in post office buildings: "Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds."

The mails should be kept moving. If men want to maintain the plants, or even to work in them, that is their right. If the company wants to mail food to them, that is their right. And if the CIO wants to mail appeals to them to strike, that is the union's right. The postal service should be kept open to the use of all citizens, as long as that use is within the law.

At the same time the mail controversy could not have arisen if there had not been a breakdown of ordinary law enforcement first. Sending supplies into a mill is not a function which usually requires federal action. It is car-

ried on normally by the ordinary methods of commercial delivery. The only reason the companies have resorted to the mails is that normal traffic has been forcibly stopped, in violation of ordinary law.

The theory of the American system of government is that the federal authority shall be called upon to render only such services as it can best perform because of their interstate nature, or which the state and local governments are unable to perform because they lack sufficient strength. The federal arm is directed by the Constitution to give protection "from domestic violence"—but properly this is not done until all resources of local government have been exhausted.

Have local resources been exhausted in this case, or is the community calling upon Washington to do something for it which it has not tried to do for itself? If Youngstown's present police force is too small to cope with those who break the law, even if augmented by sheriff's deputies, certainly the state should make at least an attempt to uphold law and order.

In short, the mails should be kept moving, but the primary responsibility of the city, county, and state should be given at least as much attention.

(Reprinted from Cleveland News, June 8, 1937)

THE SHAME OF THE MAILS

The disgrace of the United States mails is complete.

The federal service with the most enviable record of all, with its proud boast that the "mail always goes through," is reduced to the point where it goes through only if the contents of packages are acceptable to Phillip Murray of the C. I. O. No one is in doubt what would

happen to a lawyer, a doctor, a merchant, a sailor, a street car conductor, a ribbon clerk, a truck driver, or any other American who presumed to interfere with the mighty United States mail. And no one can longer be in doubt that the C. I. O. constitutes a privileged class.

The steel strike committee at Canton hired airplanes to drop leaflets into the Republic Steel plant here. One of the leaflets said:

"Four departments of the United States government are fighting on our side." That was no boast, but a plain statement of fact.

How else can one explain the asinine statement of Jesse M. Donaldson, deputy first assistant postmaster general, regarding a perfectly proper resolution by Senator Bridges of New Hampshire which sought an investigation. He said:

"I take it that Senator Bridges is trying to indicate that we ought to arm our trucks and drivers and force delivery. The post-office is not a strike breaking agency."

Mr. Donaldson takes it as nothing of the kind. No one has suggested that the mail employes constitute themselves strikebreakers or combat troops. There are local law-enforcing agencies to whom the postoffice can appeal for whatever protection is necessary to insure deliveries. Why has it not done so? There are state law enforcement agencies to which appeal can be made. There is the power of the federal government itself. We had a president once, Grover Cleveland, who was not afraid to send troops into Chicago to insure the running of the United States mails. He sent them and the mails went through.

But Mr. Cleveland, of course, had no John L. Lewis. He had never been publicly told, as Franklin D. Roosevelt was told last January by Mr. Lewis, that labor had

supported him and expected to be paid off. That payment is being made through the prostitution of a famous government service. Ask yourself one question:

"If those were sit down strikers in the plants, would mail to them go through?"

You know it would.

(Reprinted from Washington News, June 11, 1937.)

WHO PAYS?

Speaking of morals, responsibility, etc., here is a little C. I. O. family squabble worth pondering.

Several thousand General Motors employes in the Saginaw Valley of Michigan, at work under a C. I. O. contract, lost their jobs for a day—and wages aggregating some $450,000—all because another group of C. I. O. workers, in the local power plant, threw the switches and thereby cut off the juice that runs the machines in the auto factories. It came about because of a misunderstanding—the C. I. O. leaders hadn't told their members in the power plant that their dispute with the power company had been settled and an agreement signed.

The question is: Who should pay for the lost wages?

If this sort of thing keeps up, John L. Lewis will have to set up a court of claims inside his own organization.

And then what about the general public, which also suffered?

(Reprinted from Chicago Daily Tribune, June 6, 1937)

BEHIND THE SOUTH CHICAGO RIOTS

No extemporized mob unassisted by a trained fighting force would have made the attack of Sunday, May 30, on

the police defending the plant and employes of the Republic Steel corporation in South Chicago. Men merely inflamed by the harangues of agitators would not have had the determination to fight a pitched battle. The review of the facts and a study of the pictures will prove the presence in that conflict of a force of trained military revolutionaries. These facts have not been commented upon and there is need to examine them.

In the mob there were three elements. There were the toughs who had come over the line from Indiana seeking a fight of any kind and a chance to attack the workers remaining in the plant. There were a few striking employes of the company who had been excited by the agitators. Then there was a trained military unit of a revolutionary body. They are rushed to scenes of lawlessness whenever the C. I. O. promotes disorders. Only a mass of men strengthened, directed and sustained by selected, trained and disciplined revolutionary fighters would have rushed across a hundred yards of intervening space to attack the police line.

The morale of professional soldiers must be high to permit them to make an attack under such conditions. Du Pic, the great French military authority, has described how French troops in columns attacking British formations have unraveled at the rear even before the British delivered a fire and how the front would collapse under the fire. No ordinary body of men spontaneously assembling to hear inflammatory speeches would have been aroused to such determination unless they had been directed and supported by well trained fighters.

The police force standing in the way was a formidable one. There were at least 150 disciplined men, armed with pistols and nightsticks, nevertheless, the mass crowd made its attack. It moved across the open space separating it

from the defenders of the plant, refused to listen to the warning and advice of the commanding police officer, and the melee was on.

The fighting was sharp and stubborn, the police held their ground and the casualties were heavy. Seven of the attackers were killed or mortally wounded and ten times that number, including policemen, were badly injured. Now considering the numbers involved, that would be a high casualty rate in a skirmish between disciplined troops.

The determination of the fighting nucleus of the attackers is proved by what they did. It is also proved by the losses suffered. The pictures show the police taking cover from missiles before they charged to defend themselves.

It has been known that there had been incitement to this disorder and that the striking employes had been harangued and stirred into action. But they were led and supported by members of an organization which has been disciplined and trained to the necessities of hard fighting, just as regular troops are trained. The unfortunate affair at South Chicago offers evidence of a militant body which sends its fighting cadets into every trouble area to form the disciplined corps of any attack which can be organized by fiery speeches.

Soldiers in their training are instructed that when captured they may tell their names and the organization to which they belong, but nothing else. A number of the riot prisoners have told their names and addresses and have refused to give any other information. Some others have identified themselves as striking employes of the company's plant. Others, in spite of the silence of many, have been found to be active members of the communist party.

An investigation will discover the existence of a regu-

lar revolutionary military force, members of which are operating wherever the C. I. O. strikes are called and strikers are incited to lawlessness and acts of violence. There are reports that the airplanes trying to drop food packages at the Youngstown Steel plant are exposed to gun fire. The confirmation of this at this time may not be positive, but the reports persist, and the object of firing, of course, would be to keep the plane from flying low enough to insure that the packages would drop within the beleaguered plant. Only trained shots can hit a flying airplane.

Any one who has read Mr. Ator's articles in The Tribune describing revolutionary tactics will recognize the revolutionary technique in the formation of the mobile fighting forces. These military nuclei, what the revolutionaries call cadres, have been formed and their work is being revealed in some of the extraordinary circumstances in which the present disorders are being staged.

(Reprinted from Washington Herald, June 10, 1937.)

CONGRESS ALARMED BY C. I. O. ULTIMATUM IN STEEL FIGHT

Written by Arthur Henning for Chicago Tribune—

With the Roosevelt administration standing pat on the aid and comfort it is affording John L. Lewis' C. I. O. drive on the independent steel companies, concern for the outcome is spreading in Congress.

Democratic as well as Republican legislators do not conceal their apprehension of the potentialities of the class warfare that has been engendered. With the Government condoning the arming of pickets and the intimidation of non-strikers some Senators and Congressmen express their fear that large areas of the country may at any time be

thrown into a state of virtual civil war. Others suggest that the trend of events in the industrial regions affected is precisely that which produced Fascism in Italy and Germany.

Employers possess no right of appeal under the Wagner act, the board has ruled. The Interstate Commerce Commission has pleaded lack of jurisdiction to protect the railroads from tearing up of their tracks at the steel plants by strike pickets.

Postoffice Stands Pat

The Postoffice Department continued to stand pat on its refusal to deliver parcel post to the beleaguered mills. No official notice was taken of the Republic corporation's demand that the postal service perform its function. It was stated that Postmaster General Farley would answer the demand in the near future.

Senator H. Styles Bridges (R.), of New Hampshire, will go before the Senate Committee on Postoffices Friday with a mass of evidence to support his resolution calling for an investigation of the refusal to deliver mail to the steel plants.

Part of the evidence furnished him details the manner in which the C. I. O. leadership dictated the course taken by postal officials in Ohio. The evidence raises the question of a violation of the conspiracy laws on the part of postal officials and strike leaders.

Senator Bailey Aroused

One of the Democratic Senators aroused by the collusion between the Administration and the C. I. O. is Josiah W. Bailey, of North Carolina. He announced he would support the Bridges resolution. The Senator said:

"This interference with the mails is a very serious

thing. The carrying of the mail is a function of the Government. When private individuals interfere with the mail and undertake to say what shall go through and what shall not, it is the clear duty of the Government to stop them. This procedure is analogous to a private individual undertaking to operate the Government. If we stand for that in little matters, then they are likely to undertake it in larger matters. We have got to act. If the Government does not perform its own function, you will very quickly find others to do it."

BOARD'S EXHIBIT NO. 100

Plan of Employees' Representation
River Plant
The Corrigan, McKinney Steel Company
Cleveland, Ohio
Amended March 19, 1934

Plan of Employees' Representation

Principles of Representation

In order to give to the employees of The Corrigan, McKinney Steel Company a voice in the consideration of all questions relating to rates of pay, rules, working conditions, health, safety, hours of labor and other similar matters of mutual interest, and in order to provide an orderly and expeditious procedure for the prevention and adjustment of any future differences, a method of representation of employees is hereby established.

Hereinafter, The Corrigan, McKinney Steel Company shall be called the Company, the management of The Cor-

rigan, McKinney Steel Company as the Management, and the employees of the Company as Employees.

This plan of representation hereinafter provided (hereinafter called the Plan) shall in no way discriminate against any employee because of race, sex or creed, or abridge or conflict with his or her rights to belong or not to belong to any lawful society, fraternity, union or other organization.

I.

Representation

1. Employee representation shall be by voting division which shall be based upon departments or units of the plant. There shall be one Employee Representative for each 250 employees of the plant or major fraction thereof in each voting division, with a minimum of three Employee Representatives under the Plan, based on the average number of employees in such division. Adjustments shall be made to meet special recommendations in accordance with the Committee on Rules.

2. Wherever it shall be necessary for the purpose of applying the unit of representation to group small departments, regard shall be had to logical groupings and location.

II.

Term of Office of Representatives and Vacancies

1. Employee Representatives shall be elected for a term of one year, and shall be eligible for re-election.

2. An Employee Representative may be recalled by two-thirds of the voters in the voting division of such representative. Election for recall may be called by the Committee on Rules not sooner than 15 days and not later than

30 days following the approval by petition signed by two-thirds of the voters in the unit of representation of the representative. The petition shall state the reason for recall and Employee Representative shall have the privilege of appearing before Committee on Rules to defend himself if he so desires.

3. An Employee Representative shall be deemed to have vacated his office as such upon his appointment to such a regular position as would make him one of the persons described in Paragraph 3 of Section III hereof.

4. Vacancies in the office of an Employee Representative for which there is no Alternate as described in Paragraph 15 of Section IV hereof may be filled for the unexpired term, in the discretion of the Rules Committee, by special elections conducted in the same manner as the regular annual elections.

III.

Qualifications of Representatives and Voters

1. There shall be no restrictions or limitations in the choice of representatives, except as provided in Paragraph 3 of Section III.

2. All employees who are enrolled on the Company pay rolls shall be entitled to vote, except as provided in Paragraph 3 of Section III.

3. The officials of the Company and persons having the right of hiring or discharging employees, or recommending the hiring or discharging of employees, or regularly holding purely supervisory positions shall not be eligible for election as Employee Representatives or qualified to vote for Employee Representatives.

IV.

Nominations and Elections

1. Nominations and elections of Employees Representatives shall be held annually in the month of July. Nominations shall be held on the second Monday and elections on the third Monday of such month. In the event that either of such days in any year shall be a holiday then the nominations or election, as the case may be, that otherwise would be held on such day shall be held on the next succeeding full business day.

2. The nominations and elections shall be conducted by the Employees themselves in accordance with rules and regulations of the Election Committee. The Election Committee may request such assistance from Employees of each department to act as tellers as is necessary.

3. Nominations and elections shall be by secret ballot and so conducted as to avoid undue influence or interference with voters in any manner whatsoever, so as to prevent any fraud in the casting or counting of ballots.

4. On each day of nominations, each employee of the Company then qualified to vote as hereinabove in Section III provided shall be furnished by the Election Committee through tellers designated by such Committee with a ballot stating the number of persons for whom he is entitled to vote at nominations on such day; and such voter shall write on such ballot the names or check numbers of the persons in his voting division whom he desires to nominate for election as Employee Representative.

5. In voting at nominations each duly qualified voter may vote for a number of persons equal to twice the number of the persons whom his voting division is entitled to elect as Employee Representatives.

6. If on any ballot cast at nominations the name or check number of the same person shall appear more than once, such ballot shall be counted as a vote for such person only once.

7. In case the number of persons whose names or check numbers shall appear on any ballot at nominations shall exceed the permitted number as stated on the ballot, the ballot shall be void.

8. There may be three persons nominated for every office of Employee Representative to be filled.

9. The employees in any voting division up to three times the number of Employee Representatives to be elected by the employees in such division who shall have received the largest number of votes shall be declared nominated and shall be the candidates for elections by such employees on the next day of elections.

10. On the day of elections, each duly qualified voter shall be furnished by the Election Committee through tellers designated by such Committee with a ballot on which the names of the candidates for Employee Representatives nominated as hereinabove provided shall be printed in the order of the number of votes received at the next preceding nominations, or in case two or more persons shall have received at nominations the same number of votes, then in the alphabetical order of their respective surnames. Each voter shall indicate his preference by placing a cross (X) opposite the names of the candidate, or the name of each of the candidates, of his choice.

11. The number of candidates for whom the employees in each voting division shall be entitled to vote for Employee Representatives of such division shall be stated on the ballot. If any voter shall vote for more than such number, the ballot shall be void.

12. Each voter shall deposit his own ballot in a box provided for the purpose by the Election Committee and the ballots shall be counted under the direction and supervision of the members of said Committee. The candidate or candidates of each voting division of the number to be elected by such voting division who shall receive the highest number of votes shall be declared elected as the Employee Representative or Employee Representatives of such division.

13. In the event of a tie or controversy arising concerning any nomination or election, it shall be referred to and decided by the Election Committee.

14. The Election Committee may make such provision as it may consider necessary for assisting any voter who may request it in properly marking his ballot.

15. Candidates failing of election shall stand as Alternates in the order of the number of votes received, and in such order shall become Employee Representatives as need may arise through vacancies with the approval of the Committee on Rules.

16. Before entering upon his duties, each representative shall take and subscribe to the following oath of office, which shall be administered by any officer empowered to administer oaths under the laws of the State of Ohio:

> I solemnly swear (or affirm) that I will faithfully support the constitution and the laws of the United States and of the State of Ohio, and the Plan of Representation of The Corrigan, McKinney Steel Company employees; and that I will, to the best of my ability, faithfully and conscientiously discharge the duties incumbent on me as a representative under such plan.

V.

Employee Committees

1. After each annual election the Employee Representatives, hereinafter called the General Committee, shall immediately meet for the purpose of electing a chairman, secretary, and a Committee on Rules, and for selecting members of such other committees as are found necessary by the Committee on Rules for the consideration of the following subjects:

(a) Rules, Ways and Means.

(b) Wages, Tonnage Schedules, Methods and Economies.

(c) Mutual Relief, Athletics and Recreation.

(d) Health and Sanitation.

(e) Election Committee.

2. Each Committee, so selected under Paragraph 1 of Section V shall be composed of not less than three (3) nor more than five (5) members, shall appoint its own chairman and secretary, and arrange its own procedure.

3. Vacancies on committees shall be filled by the chairman of the General Committee at a regular meeting of the Committee.

4. Regular meeting of the General Committee shall be held at least once a month.

VI.

Management's Special Representative

1. The Company shall appoint a special representative (who shall be known as the Management's Special Representative) who shall keep the Management in touch with the Employee Representatives, and shall represent

the Management in negotiations with such Representatives. He shall respond promptly to any request from such Representatives, and shall interview all of them, from time to time, collectively or separately, with reference to matters of concern to the employees.

2. The Employees vest in the Management the direction of the working forces, including employment, promotion, transferring, disciplining or relieving for proper cause.

VII.

Joint Committee

1. The Joint Committee shall consist of the Employee Representatives with the addition of representatives named by the Management (known as Management's Regular Representatives) who may equal but not exceed the number of Employee Representatives.

2. The Joint Committee shall select its own officers and arrange its own procedure.

3. Such Committees, as the chairman of the Joint Committee shall appoint, shall be responsible to said Joint Committee.

VIII.

Meetings of the Joint Committee

1. Regular meetings of the Joint Committee shall be held not less often than once each month.

2. The Joint Committee shall meet as arranged for by the Chairman of the Joint Committee and the Management's special Representative.

3. Special meetings of the Joint Committee may be held as occasion may require, on approval of the Chair-

man of the General Committee and the Management's Special Representative.

4. The Company shall provide a suitable place for Meetings of all Committees.

5. When Representatives attend regular or special meetings of any Committee, as arranged for by the Chairman of the General Committee and Management's Special Representative, they shall receive from the Company payment commensurate with their respective average earnings for the time necessarily occupied through actual attendance.

IX.

Procedure for Adjustment

1. Any matter which in the opinion of any employee of the Company requires adjustment, and which such employee has been unable to adjust with the person in charge of the work on which he is engaged, may be taken up by such employee in writing, either in person or through any Employee Representative of his voting division with the following and in the following order:

First—With the Department Head.

Second—With the Management's Special Representative.

Third—With the General Committee, who shall decide, by a majority vote, upon the merit of the case. If in their opinion the case has merit, it shall be referred to the Vice President in charge of operation, otherwise it shall be nullified.

Fourth—With the Vice President in charge of operations, who shall endeavor to effect a settlement, or, with the approval of such employee or Employee

Representative, as the case may be, refer the matter to the Joint Committee.

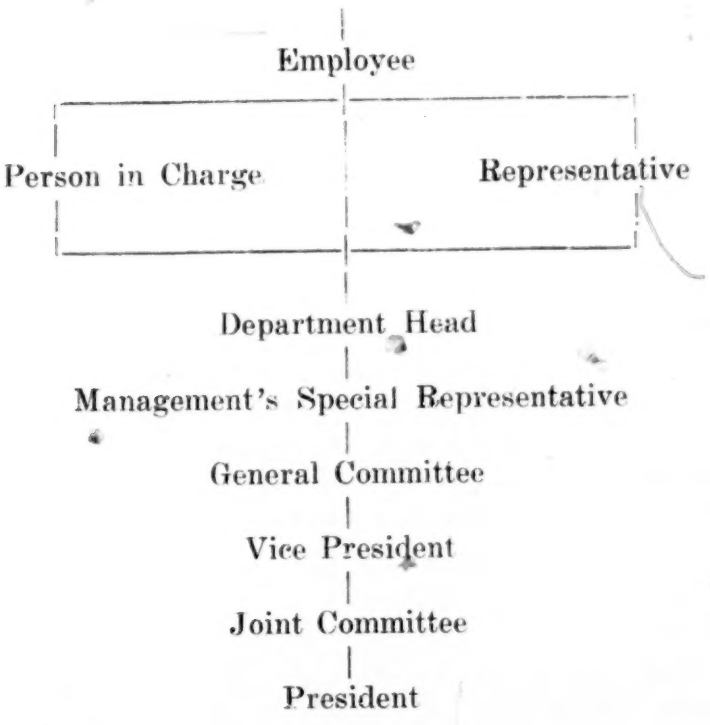
2. Unless a satisfactory disposition of any such matter shall have been effected within a reasonable time after it shall have been taken up as above provided and it shall not have been referred to the Joint Committee as provided in Paragraph Four above, any employee through the Employee Representative or any Employee Representative of his voting division, according as there shall be one or more, or the Management through the Management's Special Representative may require that such matter be referred to said Committee by a request in writing addressed to said Committee, specifying in detail the matter requiring adjustment and the reasons which warrant its consideration by said Committee. Any such matter having been so referred to said Committee, said Committee shall consider it with reasonable promptness, at a regular or special meeting, and may adopt such means as shall appear to it to be necessary in order to ascertain the facts and to effect a settlement.

3. If the Joint Committee shall fail to effect a settlement of any matter referred to it, it shall call a second meeting (which may be a regular meeting) and which shall be held not less than one week after the initial disagreement. There shall be present at said second meeting a majority of the Employee Representatives, and not less than three (3) of the Management's Regular Representatives.

Said Joint Committee shall by a majority of all the votes cast, at said second meeting, endeavor to make a decision as to what settlement or adjustment should be made. If the Joint Committee, at said second meeting, shall fail to effect a decision, then the matter shall be referred to

the President of the Company for settlement or adjustment.

Diagram of Procedure for Adjustment



X.

Guaranteeing the Independence of the Representatives

It is understood and agreed that each Representative shall be free to discharge his duties in an independent manner, without fear that his individual relations with the Company may be effected in the least degree by any action taken by him in good faith in his representative capacity. When a representative is called from his regular work at a request of any employee on anything pertaining to this

Plan, he should first report his contemplated absence to his immediate supervisor.

To insure to each such Representative his right to such independent action, he shall have the right to take the question of an alleged personal discrimination against him, on account of his acts in his representative capacity, to any of the superior officers, to the Joint Committee and to the President of the Company.

Having exercised this right in the consecutive order hereinabove indicated and having failed to obtain a satisfactory remedy within thirty days, such Representative shall have the further right to appeal to the State Department of Labor or the Secretary of Labor of the United States. The Company shall furnish said State Department or Said Secretary with every facility for the determination of the facts, and the findings and recommendations of said State Department or of said Secretary shall be final and binding.

XI.

Amendments

Any method of procedure hereunder, with the exceptions of Paragraph 2 of Section VI, and Paragraph 5 Section VIII, may be amended at any time by a majority vote of the Employees.

XII.

Right of Termination

This plan shall be, and remain in full force and effect unless and until terminated by a vote of the majority of the Employees at any annual election.

Revision of plan adopted and approved by Employee Representatives, March 19, 1934.

Robert C. Harrison Chairman—General Committee	Coke Plant
Ray Yohner Secretary—General Committee	Office
Rayford R. Essex	Blast Furnaces, Dock, Power House
John V. Walsh	Open Hearth & Laboratory
Robert E. George	Rolling Mills
Harry Lancaster	Mechanical
Ed. McConnell	Rolling Mills
Geo. Korecky	Electrical
John N. May	Scrap Yard
Roy Murdock	Yard Labor

BOARD'S EXHIBIT NO. 101

Cleveland District

Statement of Wages and Pay Roll Deductions

A 13876

Gross Earnings	Deductions	
	Old Age	
16.50	Benefits	.17
	Group Insurance	
	Coke	
	Advance -	
	Comm. Fund	
	Shoes, Etc. & Restaurant	
	Total Deductions	.17

Net
Amount 16.33

Detach Statement Before Cashing

(On Reverse Side)

Man
No. ..... Date .....

Cleveland District

Statement of Wages and Pay Roll Deductions

A 6948

Gross Earnings 15.03

	Deductions	
	Old Age	
15.03	Benefits	.15
	Group Insurance	
	Coke	
	Advance	
	Comm. Fund	
	Shoes, Etc. & Restaurant	
	Total Deductions	
	Net Amount	

Detach Statement Before Cashing

(On Reverse Side)

Man
No. ..... Date .....

Cleveland District

Statement of Wages and Pay Roll Deductions

A 24469

Gross Earnings	Deductions	
	Old Age	
11.88	Benefits	.12
	Group Insurance	
	Coke	
	Advance	
	Comm. Fund	
	Shoes, Etc. &	
	Restaurant	
	Total Deductions	
	Net Amount	11.76

Detach Statement Before Cashing

(On Reverse Side)

Man No. ..... Date .....

Cleveland District

Statement of Wages and Pay Roll Deductions

A 28196

Gross Earnings	Deductions	
	Old Age	
4.56	Benefits	.05
	Group Insurance	

Coke
Advance
Comm. Fund
Shoes, Etc. &
Restaurant
Total
Deductions
Net
Amount 4.51

Detach Statement Before Cashing

(On Reverse Side)

Man
No. ..... Date .....

BOARD'S EXHIBIT NO. 102

MEMBERS IDENTIFICATION

This is to Certify that

.....

has accepted Membership in the EMPLOYEES REPRESENTATIVE ASSOCIATION of the Republic Steel Corporation-Corrigan McKinney Division.

Badge No. ..... Date .....

(Perforation)

EMPLOYEES' REPRESENTATIVE ASSOCIATION

of Republic Steel Corporation

Date ..... Badge No. .....

I hereby accept Membership in the Employees' Representative Association of Republic Steel Corporation, and of my own free will hereby authorize the Employees' Represen-

tative Association, its Agents or Representatives, to act for me as a collective bargaining agency in all matters pertaining to rates of pay, wages, hours of employment or other conditions of employment. This Association is not a part of, nor is it affiliated with any Labor Union or other Employees' Association.

Corrigan McKinney .....

Division Department

....

Occupation Name

....

Representative Address

BOARD'S EXHIBIT NO. 103

SEE C. I. O. DRIVE AS COMMUNIST IN ITS OBJECTS

Report by John L. Lewis Is Cited as Proof

BY CHESLY MANLY

[Chicago Tribune Press Service.]

Washington, D. C., March 27.—[Special.]—The industrial union drive of John L. Lewis' Committee for Industrial Organization, which has brought the current epidemic of sitdown strikes, is essentially a communist movement and has been advocated as the first step in a program to overthrow the government of the United States and set up a soviet dictatorship ever since the communist party of America was officially organized at Woodstock, N. Y., in May, 1921.

William Z. Foster, national chairman of the communist party of America, and John L. Lewis himself are authorities for this statement.

Lewis Report Recalled

In 1924 the United Mine Workers, through its president, Mr. Lewis, submitted to the United States senate an exhaustive report on communist activities in the United States, with particular reference to their efforts to organize all craft unions of the American Federation of Labor into single units of workers known as "industrial unions." William Z. Foster was denounced as the man who, "on direct orders from Moscow," was directing this movement through the Trade Union Educational league.

Mr. Lewis' report, which was published as senate document No. 14, 68th congress, first session, on request of the late Senator Henry Cabot Lodge of Massachusetts, said:

"The overthrow and destruction of this government, with the establishment of an absolute and arbitrary dictatorship and the elimination of all forms of popular voice in governmental affairs, is being attempted on a more gigantic scale than at any time in the history of this nation."

Agents of Communists

The Trade Union Educational league, Lewis reported, was "cultivated and promoted by the organizers and agents

WILLIAM Z. FOSTER

(Cut)

Denounced by John L. Lewis in 1924 as an enemy of the government and who now says "The communist party heartily supports the C. I. O. organizing campaign."

of the Communist and Worker's parties," and was "the direct instrumentality of Lenin and Zinoviev of the Communist International and Losovsky of the subsidiary Red Trade Labor Union International."

"Through this organization," he said, "the revolution-

ary leaders in America are making a nation-wide attempt to obtain control of the American Federation of Labor, reorganize the craft unions on the basis of 'one big union' in an industry, and weld them together into a central revolutionary agency in America.

"It is a situation that challenges not only organized labor but every employer as well. This is one occasion when labor and the employer might very well join hands and fight together."

Now Lewis Heads Drive

Now Mr. Lewis is leading the drive for industrial unionism and he has become the white hope of the communists. Says Mr. Foster, in a pamphlet, "Industrial Unionism," prepared for distribution in Michigan and Pennsylvania during the automobile and steel organization drives:

"The C. I. O., led so aggressively by John L. Lewis, is doing an historically important thing. . . . The C. I. O. has become the actual leader of the trade union movement. . . . The communist party heartily supports the C. I. O. organizing campaigns."

In this same booklet Mr. Foster recalls the drive for industrial unionism led by the Trade Union Educational league in 1923 and 1924 so vehemently condemned by Mr. Lewis.

In another pamphlet, "Organizing Methods in the Steel Industry," also widely distributed by C. I. O. organizers, Foster recalls his experiences in promoting the steel strike of 1919.

Foster Behind Steel Drive

Foster is the "brains" behind the steel organization drive of the C. I. O. and his propaganda literature is being distributed by C. I. O. organizers in the other industries.

However, Mr. Lewis' lieutenants in the C. I. O., the men out in front who are conducting the drive, are veteran agitators who have been denounced as communists by his own United Mine Workers.

"For months past," said the United Mine Workers Journal, for May 1, 1928, " 'The Save the Union Committee' under the leadership of John Brophy, Patrick Toohey, and Powers Hapgood and a few others has been doing its dirtiest to capture the United Mine Workers and to transform this splendid union into a communist organization."

In another editorial Mr. Lewis' Miners' Journal inferentially accused Brophy of being a paid agent of the Soviet government, saying the "Save the Union Committee" became "extremely busy in its efforts to wreck the United Mine Workers shortly after John Brophy returned from Russia . . . the very minute he came back."

Once Denounced by Lewis

In 1930, Brophy, Hapgood, and Adolph Germer, who was convicted of violating the espionage act and sentenced to 20 years' imprisonment in 1918 [a verdict that was set aside on appeal], issued a call for a secession convention of the miners at Springfield, Ill., to form the National Miners' union, affiliated with the Communist Trade Union Unity league. Speaking at the Indianapolis convention in 1930 Lewis denounced Brophy, Hapgood, and Germer as "fakirs, repudiated leaders, traitors to the unions.

Today John Brophy is the executive director of the C. I. O. Adolph Germer is the general organizer, and Powers Hapgood is field representative. The fourth member of this quartet, Patrick Toohey, is district organizer of the communist party in Pennsylvania and is credited with the

success of the C. I. O.'s first real strike effort—the RCA-Victor strike at Camden, N. J.

List of Other Organizers

These are the principals of the C. I. O., all strange bedfellows for the former communist baiting John L. Lewis, but the C. I. O. organization is literally crawling with communists and left wing agitators. A partial list of the small and large fry follows:

Walter, Victor and Roy Reuther, C. I. O. organizers and long-time agitators for left wing causes. Victor and Walter are graduates of the Communist Brookwood Labor

JOHN L. LEWIS

(Cut)

Who now welcomes the support of Foster and his lieutenants in organizing the C. I. O. movement.

college at Katonah, N. Y., a training school for black and white agitators.

Sidney Hillman, president of the Amalgamated Clothing Workers and a C. I. O. director. Hillman is a veteran pro-Soviet worker, having organized the Russian-American Industrial corporation to raise a million dollars to bring about "the rehabilitation of Russia" in 1922. He is a former director of the American Fund for Public Service, or Garland fund, as it is known, which has contributed or loaned more than two million dollars to socialist, communist and I. W. W. causes.

Attempted to Aid Spain

David Dubinsky, president of the Ladies' Garment Workers' union and a director of the C. I. O. For many years he has been a left wing leader of the Socialist party

and in 1936 he undertook to raise $100,000 for the communist "popular front" regime in Spain.

Francis J. Gorman, president of the C. I. O.'s United Textile Workers, and a leader in C. I. O. councils. Mr.

Left Wing Organizers and Agitators Who Are Aiding John L. Lewis' Campaign to Line Up Labor Under the C. I. O.

(Cut)

George A. Patterson, David Dubinsky, Victor Reuther, Clarence Irwin, Clinton S. Golden, Paul Glaser, Lee Pressman, James W. Ford, Mary Hillyer, Leo Kryzci, Homer Martin, Francis J. Gorman, Sidney Hillman, Michael Ostrowski.

Gorman is a member of the advisory board of the Garland fund supported Commonwealth college, a communistic training school for workers at Mena, Ark.

Homer S. Martin, president of the United Automobile Workers and Lewis' right hand man in Michigan. A former Baptist minister, Mr. Martin has been a left wing orator for years.

Maurice Sugar, a radical lawyer, who was the communist candidate for the office of recorder's judge in Detroit, in 1936. He is on the C. I. O. pay roll.

Lee Pressman, another radical lawyer, C. I. O.'s general counsel. He was a victim of the left wing "purge" in the agricultural adjustment administration two years ago.

Educational Director

Merlin D. Bishop, a graduate and former member of the Brookwood Labor college staff, who is on the pay roll as "educational director" for the C. I. O.

Tucker P. Smith, president director of Brookwood, who writes for the auto workers' C. I. O. organ and as-

sisted the C. I. O. in founding a training school last summer at Saugatuck, Mich., where agitators were trained for the sitdown strike.

John Schmies, former assistant for William Z. Foster and one time organizer of the Auto Workers' union, a communist organization, which was active until a few years ago. He is the Detroit representative of the Fraternal Orders committee, organized by the C. I. O. to line up fraternal organizations.

Former Garland Fund Aid

Clinton S. Golden, former director of the Garland fund and former business manager of Brookwood. C. I. O. regional director in the steel organization campaign in Pennsylvania.

Leo Krzycki, member of the advisory board of the C. I. O., vice president of the Amalgamated Clothing Workers and a member of the national executive committee of the Socialist party.

John W. Anderson, C. I. O. organizer, who was the communist candidate for governor of Michigan in 1934.

Mary Heston Vorse, well known communist author, who has been directing the organization of C. I. O. women's auxiliaries.

Margaret Cowl, another communist writer and agitator, who is on the pay roll and was active in promoting women's activities at Flint, Mich.

Mary Hillyer, leader in the left wing League for Industrial Democracy, who has been assisting Comrade Cowl.

Vice President Candidate

James W. Ford, colored, communist candidate for Vice President in 1936. He attended a conference of Negro lead-

ers, called by Philip Murray, director of the C. I. O.'s steel organization drive, at Pittsburgh, Feb. 6.

William Weinstone, general secretary for the communist party in Michigan, who has been directing communist activities in the Flint and Detroit strikes.

Rose Pesotta, C. I. O. organizer in the rubber and automotive industries, who is a veteran anarchist leader and one time associate of Emma Goldman.

JOHN BROPHY
(Cut)
[Associated Press Wirephoto.]

Who was accused by the United Mine Workers' Journal in 1928 of "trying to transform this splendid union into a communist organization" and who now is the executive director of the C. I. O.

Genora Johnson, leader of the Women's Brigade at Flint and a member of the Socialist party,

William K. Gebert, associate of William Z. Foster and member of the central committee of the communist party, who is now a C. I. O. organizer, and is in frequent conference with Philip Murray.

Formerly with Amtorg

Jack Stachel, member of the central committee of the communist party and director of C. I. O. pay roll organizers in Pennsylvania. He is the author of a foreword to one of Foster's propaganda pamphlets distributed by C. I. O. organizers.

Blain Owen, alias Boris Israel [his real name is Israel Berestein] who formerly represented Amtorg, the soviet trading agency, on the Pacific coast. At present he works with Gebert in the Pittsburgh district.

George Powers, alias Morris Powers former district organizer of the communist party in South Carolina, who is now a district director of the Steel Workers' Organization committee of the C. I. O. in Pittsburgh, at a large salary.

Jess Gonzales, Mexican, member of the communist party and full time salaried man on the S. W. O. C. in Pittsburgh.

Eleanor Rye, colored, an organizer for the National Negro congress, a communist outfit, and on the private pay roll of Van A. Bittner, Chicago regional director of the C. I. O.

Clarence Irwin, district organizer for the communist party, who is on the S. W. O. C. pay roll in Pittsburgh.

Louis Majors, member of the communist party and on the S. W. O. C. pay roll in Pittsburgh.

Shane Steel Organizer

Tom Shane, member of the communist party and a full time C. I. O. organizer on the steel workers' pay roll in Pittsburgh.

Doyle Glormer, reporter for the communist People's Press, who is on the pay roll of the S. W. O. C.

Paul Glaser, attorney for the section committee of the communist party, who is a full salaried member of the S. W. O. C. staff and spends much time with Van Bittner in Chicago.

Peter Chapa, for years a communist organizer who is now a full time S. W. O. C. organizer at Gary, reporting directly to Van Bittner.

Ruth Chapa, wife of Peter Chapa, paid by the S. W.

O. C. to do missionary work in the homes of Spanish steel workers.

Alfredo Abillo, member of the communist party at South Chicago and a paid S. W. O. C. organizer among Mexicans in that section.

Hansen, first name unknown, who is a member of the communist party at Chicago Heights and a full time S. W. O. C. organizer.

Charles Henry, member of the communist party and a part time S. W. O. C. organizer in South Chicago.

Leonides McDonald, Negro communist leader who is on the pay roll of the S. W. O. C. at Indiana Harbor.

Mike Ostroski, member of the communist party who is on the S. W. O. C. pay roll in Gary.

George A. Patterson, member of the communist party on the S. W. O. C. pay roll in South Chicago.

Joe Cook, member of the communist party and a part time S. W. O. C. organizer in South Chicago.

Dave Doran, Pittsburgh district organizer for the Young Communist league, who is on the S. W. O. C. pay roll and confers frequently with Philip Murray. He is also a close associate of William Z. Foster.

BOARD'S EXHIBIT NO. 104

REPUBLIC STEEL CORPORATION
and Subsidiaries
General Offices Republic Building, Cleveland, Ohio
(Insignia)

TO OUR EMPLOYEES:

We are making the following statement so that you will know the attitude of Republic toward the recently announced campaign for unionization of the steel workers.

The leader of this drive is John L. Lewis, head of the Coal Miners' Union. He is not connected with the steel industry. He has enlisted the help of other organizations not connected with the steel industry. Associated with him in this drive are professional organizers from the Coal Miners, the Ladies Garment Workers, the Amalgamated Clothing Workers and other outsiders. The Amalgamated Association of Iron, Steel and Tin Workers has been pressed into this movement. The Amalgamated has only about 1½% of the steel workers in its membership.

Representatives of radical and communistic groups are helping in this movement. William Z. Foster, Chairman of the Communist Party, has announced his support. Foster was the leader in the unsuccessful attempt to unionize the steel industry in 1919.

WHAT DO THEY WANT?

John L. Lewis and his organization want more workers to **pay them more dues**. Lewis has announced they will spend $500,000 on this unionization drive. Where did they get this money? They got most of it from the coal miners. They say they are spending it to try and organize the steel workers. If they could organize the steel workers they hope to collect $5,000,000 a year from them. Republic employees alone would pay over half a million dollars a year. Furthermore, they could place dues and assessments at any figure they liked and steel workers would have to pay them.

The real aim of the present organization drive is to

establish a "Closed Shop." They want to force you into the union and make you pay for the right to work. Under a "Closed Shop" every man has to pay dues to the union whether he wants to or not. If he gets behind in his dues they can throw him out of the union. By this threat they can keep the dues rolling in.

One of the announced purposes of this drive is to throw out your Employee Representatives whom you have elected for collective bargaining with the management. The union wants to destroy all Employee Representation Plans in the steel industry.

Your Employee Representation Plan is not run by outsiders. It works. Under your Plan you select your own Employee Representatives—men you know and with whom you work. Under a union you would be represented by outsiders who may know little or nothing about your problems, your management, or the steel industry. Furthermore, you would have no choice in their selection. You would have to accept any bargain they made for you. You would have to pay money to be dictated to by somebody you did not even know.

WHAT ARE THEIR METHODS?

The methods customarily used by professional union agitators and organizers are force, coercion and intimidation of workers and their families. They threaten to call a strike to force men to join their union. They try to force mills to stop operations, and keep men from their work for months at a time. They do this to scare men into their union whom they know do not want to join the union.

WHAT IS REPUBLIC'S STAND?

Republic stands for the "Open Shop" principle.

No employee has to join any organization to get or hold a job.

Advancement depends upon individual merit and effort.

Republic will not permit any activities within its plants which will:

1. Interfere with the orderly conduct of its operations.
2. Stir up strife or discontent.
3. Threaten the peace and comfort of its workers and their families.

Every Republic employee owes a duty of loyalty to the company so that its best interests may be served. Conduct detrimental to the interest of the company and which may disrupt the satisfactory relations between employees and management will not be tolerated.

T. M. Girdler,
Chairman and President,
R. J. Wysor,
Executive Vice President and
General Manager,
C. M. White,
Vice President in Charge of
Operations,
H. B. Carpenter,
District Manager.

July 2, 1936.

REPUBLIC STEEL CORPORATION
Republic Building
CLEVELAND, OHIO

(Postoffice Cancellation)

G. E. Rodway,
4410 Broadway,
Cleveland, O.

BOARD'S EXHIBIT NO. 108

UNITED STATES OF AMERICA
SECURITIES AND EXCHANGE COMMISSION

I, Edward L. Payne, Chief, Docket, Mail and Files Section, of the Securities and Exchange Commission, Washington, D. C., which Commission was created by the Securities Exchange Act of 1934 (15 U. S. C. A., Sec. 78a et seq), and acting official custodian of the books and records of said Commission, and all books and records created or established by the Federal Trade Commission, pursuant to the provisions of the Securities Act of 1933 and transferred to this Commission in accordance with Section 210 of the Securities Exchange Act of 1934, do hereby certify that attached is a full, true and complete copy of:

> Facing sheet, pages 1 to 6, inclusive, and pages 61 and 62 of registration statement filed with this Commission October 21, 1936 by Republic Steel Corporation, pursuant to the provisions of the Securities Act of 1933 as amended, under File No. 2-2563.

In witness whereof I have hereunto subscribed my name and caused the seal of the Securities and Exchange Commission to be affixed this 13th day of August, A. D., 1937, at Washington, D. C.

Edward L. Payne,
Chief, Docket, Mail and Files Section.

(Seal)

Approved 1-12-35 Registration No.....
Date of Filing .....
Effective Date .....

(The above to be left blank by the registrant)

(Stamp)

FORM A-2
For Corporations

SECURITIES AND EXCHANGE COMMISSION
Washington, D. C.

REGISTRATION STATEMENT
Under Securities Act of 1933

REPUBLIC STEEL CORPORATION
(Name of Registrant)

Securities Registered

Title of Issue, or Issues	Amount
General Mortgage . . % Bonds, Series C, due November 1, 1956	$25,000,000

Amount of Filing Fee: $2,500

Approximate Date of Proposed Public Offering: November 10, 1936

Name and address of person authorized to receive notices and communications from the Securities and Exchange Commission:

W. W. Hancock, Secretary
Republic Steel Corporation
Republic Building, Cleveland, Ohio.

The information required to be given under the items hereinbelow set forth is more specifically defined in the "Instruction Book for Form A-2 for Corporations."

The Instruction Book also sets forth requirements as to Financial Statements, Exhibits, Signatures, Consents

of Experts and the Prospectus, which are to accompany the registration statement or to be incorporated therein by reference.

CALCULATION OF REGISTRATION FEE

Col. A. Title of issue, or issues registered	Col. B. Amount registered	Col. C. Proposed max. offering price per unit	Col. D. Proposed max. aggregate offering price	Col. E. Amount of filing fee
Republic Steel Corporation General Mortgage % Bonds, Series C, due November 1, 1956.	$25,000,000	100%*	$25,000,000*	$2,500

*Plus accrued interest from November 1, 1936 to date of delivery.

The financial statements appended hereto and the financial information contained in the answers to Items 9A and 10A of this registration statement have been certified by, and the information contained in the answer to Item 45 of this registration statement has been reviewed by, Messrs. Ernst & Ernst, Certified Public Accountants, and all statements set forth therein are made on the authority of said firm, as experts.

ORGANIZATION

1. Exact name of registrant:
   Republic Steel Corporation.
2. Address of principal executive offices:
   Republic Building, Cleveland, Ohio.
3. The state or other sovereign power under which incorporated, and the data of incorporation:

   The registrant was incorporated under the laws of the State of New Jersey on May 3, 1899, with the name

Republic Iron and Steel Company. On April 8, 1930, the name of the registrant was changed to Republic Steel Corporation.

4. List the following and indicate the respective percentages of voting power as required by the Instructions:
(a) All subsidiaries of the registrant.

Name	State of Incorporation	Per Cent. of Voting Power as of Sept. 30, 1936 (A)
Steel and Tubes, Inc.	Ohio	100%
Union Drawn Steel Company	Pennsylvania	100%
Union Drawn Steel Co., Ltd.	Ontario, Can.	100%
The Berger Manufacturing Co.	Ohio	100%
The Trumbull-Cliffs Furnace Co.	Ohio	100%
Republic Steel Corp. of Delaware	Delaware	100%
Donner Mining Company	Minnesota	100%
Republic Collieries Company	Pennsylvania	100%
*Republic Supply Company	Texas	85%
†The St. Paul Iron Mining Co.	Minnesota	100%
The River Terminal Railway Co.	Ohio	100%
The N. & G. Taylor Company	Maryland	100%
The Newton Steel Company	Ohio	80.9% (B)
Truscon Holding Company	Delaware	100%
Truscon Steel Company	Michigan	96.2%
*The Niles Steel Products Co.	Ohio	100% (C)
Penokee Ore Company	Delaware	100%

*Accounts not consolidated.

†Inactive.

(A) Including directors' qualifying shares, if any.

(B) Percentage is shown as affected by voting power held by preferred stock by reason of arrearages in dividends. Elimination of such dividend defaults would result in percentage of 81.2%.

(C) As of October 5, 1936.

There have been omitted from the foregoing list of subsidiaries the names of 15 corporations all the stock of which is owned directly by the registrant and of 7 corporations all or a majority of the stock of which is owned by subsidiaries of the registrant. The total investment in such 22 corporations of the registrant and its subsidiaries was carried on their books at $724,282.37 at September 30, 1936, and the total sales and operating revenues of such 22 corporations for the year ending December 31, 1935, as

shown by the books of such corporations, were $800,018.22. The registrant considers that none of such 22 corporations is of material significance in relation to the total enterprise represented by the registrant and subsidiaries in respect of either (1) the investment therein, or (2) the sales or operating revenues of such subsidiary, or (3) the essential nature of the function performed by such corporations in the total enterprise represented by the registrant and its subsidiaries.

The registrant also owns a substantial percentage, but in no case more than 50%, of the voting stock of each of 6 other corporations engaged in the mining of iron ore, and various percentages, but in no case more than 50%, of the voting stock of certain other corporations are owned by the registrant or subsidiaries of the registrant. The registrant does not possess, directly or indirectly, the power to direct or cause the direction of the management and policies of any such other corporation, whether through the ownership of voting securities, by contract, or otherwise; and the registrant therefore disclaims any admission of the actual existence of effective control by it, directly or indirectly, of any such other corporation, and, when the term "subsidiaries" is used in this registration statement, it shall not be

demed to include any such other corporation.

(b) All parents of the registrant.

None.

HISTORY AND BUSINESS

5. Outline briefly the general character of the business done and intended to be done by the registrant and its subsidiaries.

The registrant is primarily an operating company, but certain divisions of its business are conducted through subsidiaries. It is engaged in the manufacture and sale of a diversified line of iron and steel products and ranks as the third largest steel company in the United States, having an annual ingot capacity of approximately 6,053,000 tons. The products of the registrant include pig iron, semi-finished steel, alloy steels, special steels, billets, bars, pipe, hot and cold rolled sheets and strip, tin and terne plate, bolts and nuts, fabricated material and other products. It is a leading manufacturer of alloy steels, including stainless steel and high tensile steels, and is an important producer of steel for the automobile industry and of electrically welded pipe.

The registrant presently obtains from its own mines more than half of its requirements of iron ore, obtaining the balance from the mines of companies in which it has an interest and by purchase from others. It presently obtains more than half of its requirements of coal from its own mines and from those of companies in which it has an interest, obtaining the balance by purchase from others.

The registrant intends to continue to engage in business of the general character described above, directly, or indirectly through existing or new subsidiaries.

6. Outline briefly the general development of the business for the preceding five years.

The business of the registrant and its subsidiaries, during the past five years, has been in general as set forth in the answer to Item 5, except to the extent that additional facilities were acquired as set forth below. Such additional facilities have enabled the registrant to effect economies in, and increase the efficiency of, its operations and to add to the products manufactured and sold.

On April 8, 1930, The Berger Manufacturing Company (New Jersey) was merged with the registrant, and the registrant acquired the assets of The Bourne-Fuller Company, Donner Steel Company, Inc., and Central Alloy Steel Corporation.

In September, 1935, pursuant to its plan of acquisition and recapitalization announced on August 27, 1934, the registrant acquired the properties and assets of The Corrigan, McKinney Steel Company, as the result of which the registrant added to its facilities an efficient and modern steel plant, advantageously located with lake transportation facilities at Cleveland, Ohio, obtained valuable iron ore properties, and acquired control of The Newton Steel Company, which has a plant with lake transportation facilities at Monroe, Michigan, and of The N. & G. Taylor Company, which has a small tin plate plant at Cumberland, Maryland.

In October, 1935, pursuant to said plan of acquisition and recapitalization, the registrant acquired control of Truscon Steel Company, which has steel fabricating plants at Youngstown and Cleveland, Ohio, and numerous well located warehouses.

During 1936 the registrant acquired from Canton Tin Plate Corporation tin plate manufacturing facilities adjoining the Canton, Ohio, plant of the registrant, acquired control of The Niles Steel Products Company, which has a

steel stamping and fabricating plant at Niles, Ohio, constructed various improvements to its existing plants, and leased additional iron ore and coal properties. The registrant also began the construction of a cold rolled tin plate plant at Niles, Ohio, adjoining its Niles Sheet Mills.

The foregoing brief outline of the general development of the business of the registrant and its subsidiaries does not attempt to estimate the effects on such business, and on the steel industry generally, of changes during the preceding five years in economic conditions, legislation, the technique of manufacturing steel products, industrial practices affecting the use of steel, taxation and other conditions.

Items 4-6

PROPERTY

7. State briefly the general character and location of the principal plants and other important units of the registrant and its subsidiaries. If any principal plant or important unit is not held in fee, so state and describe how held.

Iron and Steel Producing, Manufacturing and Finishing Plants*

The iron and steel producing, manufacturing and finishing plants of the registrant and its subsidiaries include

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* Except plants and other units stated to be owned by subsidiaries of the registrant, all plants and other units described in the answer to this Item 7 are owned by the registrant. Unless otherwise stated, and disregarding the effect upon titles of mortgages and deeds of trust, the plants and other units described in the answer to this Item 7 are owned in fee by the registrant or a subsidiary. No examination, however, of titles to the properties of subsidiaries

facilities estimated to have a combined annual capacity of approximately 3,450,000 gross tons of pig iron, facilities estimated to have a combined annual capacity of approximately 6,053,000 gross tons of open hearth, bessemer and electric furnace steel ingots, facilities for the conversion of steel ingots into semi-finished products, and facilities estimated to have a combined practical annual finishing capacity** of approximately 4,746,000 net tons.

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herein described has been made for the purposes of this registration statement or the prospectus to be issued thereunder; but such properties classified as being owned in fee by subsidiaries have in the main been held for many years without any unfavorably adjudicated claim. Leases held by the registrant on relatively small and insignificant parcels, and similar leases, and licenses, easements, etc., made by the registrant to others, have been disregarded.

All estimates stated in the answer to this Item 7 have been made by engineers or other employees of the registrant or its subsidiaries (or, in some cases, by engineers or other employees of other interested parties) believed by the officials of the registrant to be competent in respect thereof. Such estimates include in some instances capacities of facilities not now being operated on which expenditures would be required prior to operation for repairs, rebuilding, etc. Amounts of approximate acreage comprised by the plants described herein include, in certain cases, acreage adjacent to, but not actually occupied by, operating units of such plants.

** Practical annual finishing capacity represents the average yield of finished products obtainable with the registrant's facilities from the above stated annual ingot capacity of the registrant.

The principal iron and steel producing, manufacturing and finishing plants of the registrant and its subsidiaries are as follows:

Youngstown Plants, located in the Cities of Youngstown and Campbell, Ohio. These plants include the Haselton Furnaces, the Open Hearth Steel Plant—Tube Works, the Brown-Bonnell Bessemer Works and the By-Product Coke Plant and comprise approximately 227 acres of land, upon which are located four blast furnaces with an estimated annual capacity of approximately 980,000 gross tons of pig iron, 204 coke ovens and a by-products plant, pig casting machinery, a sintering plant, fifteen open hearth furnaces with an estimated annual capacity of approximately 1,043,000 gross tons of steel ingots, two bessemer converters with an estimated annual capacity of approximately 480,000 gross tons of steel ingots, two ore bridges, a hot metal bridge across the Mahoning River, and facilities for the production of blooms, billets, slabs, sheet bar, plate, skelp, lap, butt and electric weld pipe, spikes and bar mill products, which facilities include two blooming mills, two continuous sheet bar and billet mills, a plate mill, three bar mills, three butt weld pipe mills, three lap weld pipe mills, three electric weld pipe mills, a skelp mill and a hoop mill.

Warren Plants, located in and near the City of Warren, Ohio. These plants include the Warren Plant and the Trumbull-Cliffs Plants and comprise approximately 640 acres of land, upon which are located a blast furnace with an estimated annual capacity of approximately 360,000 gross tons of pig iron, a hot metal bridge across the Mahoning River, forty-nine coke ovens and a by-products plant, eight open hearth furnaces with an estimated annual capacity of approximately 656,000 gross tons of steel ingots, and facilities for the production of blooms, billets, slabs and sheet bar, hot and cold rolled strip, sheets and tin plate,

which facilities include a blooming mill, a continuous billet and sheet bar mill, three hot strip mills, a cold strip mill department, three sheet mills and twenty-nine tin mills. The Trumbull-Cliffs Plant, which covers approximately 100 of said 640 acres, and which includes the blast furnace, the coke ovens and the by-products plant, is owned by The Trumbull-Cliffs Furnace Company, a wholly-owned subsidiary of the registrant.

Corrigan, McKinney Plant, located, with lake transportation facilities on the Cuyahoga River, in the City of Cleveland, Ohio. This plant comprises approximately 294 acres of land, upon which are located four blast furnaces with an estimated annual capacity of approximately 900,000 gross tons of pig iron, 204 coke ovens and a by-products plant. a sintering plant, pig casting machinery, two ore bridges, fourteen open hearth furnaces with an estimated annual capacity of approximately 1,040,000 gross tons of steel ingots, and facilities for the production of blooms, billets, slabs and sheet bar, and bar mill products, which facilities include two blooming mills, two combination billet and sheet bar mills and two finishing mills. There are also upon this property a railroad system with a hot metal bridge across the Cuyahoga River (which railroad system is operated by The River Terminal Railway Company, a wholly-owned subsidiary of the registrant, which owns approximately 40 of said 294 acres, including the greater part of the trackage of said railroad system), two river docks, a scrap reducing plant and a slag crushing plant.

Canton Plants, located in and near the City of Canton, Ohio. These plants comprise approximately 613 acres of land, upon which are located a blast furnace with an estimated annual capacity of approximately 210,000 gross tons

Item 7

of pig iron, sixty-two coke ovens and a by-products plant,

pig casting machinery, a sintering plant, an ore bridge, fourteen open hearth furnaces with an estimated annual capacity of approximately 923,000 gross tons of steel ingots, six electric furnaces with an estimated annual capacity of approximately 130,000 gross tons of steel ingots, and facilities for the production of blooms, billets, slabs and sheet bar, alloy steels, bar mill products, sheets, tin plate, fabricated sheet metal products and metal culverts, which facilities include two blooming mills, a billet and sheet bar mill, thirty-five sheet mills, four merchant mills, nine tin mills (acquired during 1936 from Canton Tin Plate Corporation), a metal fabrication plant and a metal culvert plant. The metal fabrication plant is leased by the registrant to The Berger Manufacturing Company, a wholly-owned subsidiary of the registrant.

Massillon Plants, located in and near the City of Massillon, Ohio. These plants comprise approximately 422 acres of land, upon which are located a blast furnace with an annual estimated capacity of approximately 230,000 gross tons of pig iron, forty-nine coke ovens and a by-products plant, an ore bridge, nine open hearth furnaces with an estimated annual capacity of approximately 523,000 gross tons of steel ingots, and facilities for the production of blooms, billets, slabs and sheet bar, alloy and stainless steels, bar mill products, sheets, strip and alloy products, which facilities include a blooming mill, two bar mills, a hot strip mill, a cold strip mill department, fourteen sheet mills and a special products department.

Buffalo Plant, located, with lake transportation facilities on the Buffalo River, in the City of Buffalo, New York. This plan comprises approximately 125 acres of land, upon which are located two blast furnaces with an estimated annual capacity of approximately 450,000 gross tons of pig iron, pig casting machinery, three ore bridges, nine open

hearth furnaces with an estimated annual capacity of approximately 554,000 gross tons of steel ingots, an electric furnace with an estimated annual capacity of approximately 12,000 gross tons of steel ingots, and facilities for the production of blooms, billets and slabs, alloy steels, bar mill products and die-rolled products, which facilities include a blooming mill, a billet and bar mill, three merchant mills and a die-rolled steel plant. (Coke for the above blast furnaces is obtained from the plant of Donner-Hanna Coke Corporation, 50% of the stock of which is owned by the registrant, such plant being adjacent to the Buffalo Plant of the registrant.)

Chicago Plants (two plants, respectively known as the South Chicago Works, located with lake transportation facilities on the Calumet River, and the Grand Crossing Works), located in the City of Chicago, Illinois. These plants comprise an aggregate of approximately 52 acres of land, upon which are located eight open hearth furnaces with an estimated annual capacity of approximately 408,000 gross tons of steel ingots, and facilities for the production of blooms, billets and slabs, bar mill products, and rods, wire, fencing, nails and railroad spikes, which facilities include a blooming mill, a billet and bar mill, a merchant mill, a combination merchant and rod mill, a wire mill and nail and spike machinery.

Upson Works, located, with lake transportation facilities on the Cuyahoga River, in the City of Cleveland, Ohio. This plant comprises approximately 25 acres of land, upon which are located an ore dock and ore bridge, a merchant mill and facilities for the production of bolts, nuts and spikes; also the non-operating facilities mentioned below.

Thomas Plant, located near the City of Birmingham, Alabama. This plant produces pig iron and coke and by-products thereof and consists of fifty-seven coke ovens, a

by-products plant and two blast furnaces with an estimated annual capacity of approximately 320,000 gross tons of pig iron.

Niles Sheet Mills, located in and near the City of Niles, Ohio. This plant comprises approximately 50 acres of land, upon which are located eight sheet mills, producing hot rolled, hot rolled annealed, electrical and other varieties of sheets. There is being constructed on this site a strip tin plant comprising a four-stand tandem cold mill and seven 2-high cold mills, and cleaning, annealing, pickling and turning facilities for the production of cold rolled tin plate.

Dilworth Porter Plant, located in the City of Pittsburgh, Pennsylvania. This plant comprises approximately 7 acres of land and is equipped with facilities for the production of bar mill products, tie plates and spikes, which facilities include a bar mill and tie plate and spike machinery.

Monroe Plant, located, with lake transportation facilities on Lake Erie, in the City of Monroe, Michigan (owned by The Newton Steel Company, a subsidiary of the registrant, in which a minority stock interest is outstanding*). This plant comprises approximately 140 acres of land, upon which are located facilities for the production of various kinds of sheets, which facilities include fourteen roughing and ten finishing sheet mills, normalizing and box annealing furnaces, and pickling and cold rolling units.

Steel and Tubes, Inc. Plants (owned by Steel and Tubes, Inc., a wholly-owned subsidiary of the registrant): Cleveland Plant, located in Cleveland, Ohio, comprising approximately 10 acres of land, and equipped with nine

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* See Item 4 (a) of this registration statement and notes thereto.

electric weld mills and facilities for the shaping and finishing of tubing and boiler tubes; Brooklyn Plant, located in the City of New York, equipped with facilities for the pro-

Item 7.

duction, shaping and finishing of electric weld tubing and conduit; two plants located in Elyria, Ohio, equipped for the production of reinforcing bars, tubing and metal stampings; and a plant in Ferndale, Michigan, equipped for the production of electric weld tubing.

Union Drawn Steel Company Plants (owned by Union Drawn Steel Company, a wholly-owned subsidiary of the registrant): Massillon Plant and Gary Plant, located, respectively, in Massillon, Ohio, and Gary, Indiana, each equipped with facilities for the production of carbon and alloy steel cold drawn bar products, largely for use by the automotive industry; a plant at Hartford, Connecticut, equipped for the production of similar products; and a plant at Beaver Falls, Pennsylvania, operated for the production of crankshafts and cold drawn bar products.

Truscon Steel Company Plants (owned by Truscon Steel Company, a subsidiary of the registrant, in which a minority stock interest is outstanding*): Youngstown Plant, located in Youngstown, Ohio, comprising approximately 43 acres, and equipped with facilities for the production of highway reinforcing, metal lath, steel window products, metal stampings, standard steel buildings and various other fabricated steel products; Cleveland Plant, located in Cleveland, Ohio, comprising approximately 13 acres, and equipped with presses, stamping machinery and other facilities for the production of automobile stampings, refrigerator cabinets and other pressed steel products; and

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* See Item 4 (a) of this registration statement and notes thereto.

a plant at Los Angeles, California, for the production of fabricated metal products.

Niles Steel Products Plant, located in the City of Niles, Ohio (owned by The Niles Steel Products Company, a wholly-owned subsidiary of the registrant). This plant comprises approximately 20 acres of land and is equipped with presses, stamping machinery and other machinery for the production of automobile stampings, pails, steel barrels and other pressed steel products.

In addition, the registrant and its subsidiaries have plants and facilities: for the production of re-rolled bar and other steel products at Moline, Illinois; for the production of bolts and nuts, at Unionville, Connecticut; for the fabrication of culverts at Minneapolis, Minnesota; for the production of turnbuckles at Muncie, Indiana; for the production of cold drawn steel products at Hamilton, Ontario, Canada (held under lease by Union Drawn Steel Company, Ltd., a wholly-owned subsidiary of the registrant); and for the production of tin and terne plate at Cumberland, Maryland (owned by the N. & G. Taylor Company, a wholly-owned subsidiary of the registrant). The registrant and its subsidiaries also own warehouses, some of which are held under lease, in a number of cities.

All of the foregoing plants are in operation or have been operated within a recent period, although certain portions of particular plants are from time to time not in operation. In addition the registrant and its subsidiaries own the following properties which have not been operated for several years: facilities located at Cleveland, Ohio, constituting a part of the Upson Works above referred to, and including five open hearth furnaces with an annual estimated capacity of approximately 284,000 gross tons of steel ingots, and a blooming mill (the blast furnace having been dismantled during 1936); facilities located in Cleve-

land, Ohio, and known as Union Mills, comprising approximately 28 acres and equipped with a combination bar and light structural mill for the production of merchant bars; facilities for the production of die-rolled products at Neville Island, Pennsylvania (a portion of the equipment of the plant having been removed); facilities for the production of sheets at Newton Falls, Ohio (owned by The Newton Steel Company, a subsidiary of the registrant, in which a minority interest is outstanding*); and facilities located at Beaver Falls, Pennsylvania (owned by Union Drawn Steel Company, a wholly-owned subsidiary of the registrant), equipped for the production of cold drawn bar products.

Iron Ore and Coal Properties

Extensive iron ore properties equipped for operation in Marquette County, Iron County and Gogebic County, Michigan, and St. Louis County and Itasca County, Minnesota, for the most part held under mining leases; also extensive iron ore properties in Marquette County, Dickinson County, Iron County and Gogebic County, Michigan and in St. Louis County, Minnesota, being held as iron ore reserves, either owned in fee or held under mining leases. One mine in St. Louis County, Minnesota, is held under lease by Donner Mining Company, a wholly-owned subsidiary of the registrant, and one mine in Gogebic County, Michigan, is held under lease by Penokee Ore Company, a wholly-owned subsidiary of the registrant.

Extensive iron ore properties equipped for operation located in Jefferson County, Alabama, owned in fee or held under mining lease; also iron ore properties located in Jefferson County, Bibb County, Shelby County and Tuscaloosa County, Alabama, held as iron ore reserves and owned in fee.

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* See Item 4 (a) of this registration statement and notes thereto.

Coal properties equipped for operation located in Jefferson County, Alabama, owned in fee or held under mining leases by the registrant, and in Allegheny County and Fayette County, Pennsylvania, owned in fee by Republic Collieries Company (a wholly-owned subsidiary of the registrant) or held under mining leases by the registrant.

Item 7.

Also coal properties located in Jefferson County, Alabama, Pike County, Kentucky, Washington County and Indiana County, Pennsylvania, and Kanawha County, West Virginia, held as coal reserves. The Washington County, Pennsylvania, coal property is owned by Republic Collieries Company, a wholly-owned subsidiary of the registrant, and substantially all the Indiana County, Pennsylvania, coal property is owned by Josephine Furnace & Coke Company, a wholly-owned subsidiary of the registrant.

8. Outline briefly the general effect of all material franchises and concessions held by the registrant or its subsidiaries.

Neither the registrant nor any of its subsidiaries has any franchise (other than corporate franchises) or concession which in the opinion of the registrant, is of material importance to the total enterprise represented by the registrant and its subsidiaries, except the following, copies of the documents evidencing which have heretofore been filed with the Securities and Exchange Commission and are incorporated by reference as Exhibits I-1, I-2 and I-3, respectively, to this registration statement.

1. The right of the registrant to maintain and operate a bridge, and approaches thereto, across the Mahoning River at Youngstown, Ohio (used to convey molten pig iron from the blast furnace to the open hearth furnaces at the Youngstown Plants of the registrant), the right to

construct, maintain and operate which in accordance with the provisions of the act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, was granted to the registrant by an Act of Congress entitled "An Act granting the consent of Congress to the Republic Iron and Steel Company to construct a bridge across the Mahoning River, in the State of Ohio", approved February 15, 1916.

2. The right of the registrant, as successor to and assignee of The Trumbull Steel Company, to maintain and operate a bridge, and approaches thereto, across the Mahoning River at Warren, Ohio (used to convey molten pig iron from the blast furnaces of The Trumbull-Cliffs Furnace Company to the open hearth furnaces at the Warren Works of the registrant), the right to construct, maintain and operate which in accordance with the provisions of the Act of Congress entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, was granted to The Trumbull Steel Company by an Act of Congress entitled "An Act granting the consent of Congress to the Trumbull Steel Company, its successors and assigns, to construct, maintain and operate a bridge and approaches thereto across the Mahoning River in the State of Ohio", approved October 6, 1917.

3. The right of The River Terminal Railway Company to maintain and operate a bridge across the Cuyahoga River at Cleveland, Ohio (used to convey molten pig iron from the blast furnaces to the open hearth furnaces at the Corrigan, McKinney Plant of the registrant), the right to construct, maintain and operate which in accordance with the provisions of the Act of Congress entitled "An Act making appropriations for the construction, repair and preservation of certain public works on rivers and harbors and for other purposes", approved March 3, 1899, was granted to The River Terminal Railway Company by the

Chief of Engineers of the War Department of the United States of America and by the Secretary of War of the United States of America on June 26, 1913, following the authorization thereof on April 17, 1913, by the Division of Engineering of the Department of Public Service of the City of Cleveland.

Items 7-8.

2-1204 of the registrant, by an amendment to such Registration Statement filed with the Securities and Exchange Commission on August 22, 1935, and are hereby incorporated by reference in this registration statement as Exhibit I-5 thereto.

Exhibit I-6: Copies of the Agreement dated September 10, 1935 between Kuhn, Loeb & Co., and Field, Glore & Co., and the registrant were filed as Exhibit E-2 to Registration Statement (Form E-1) No. 2-1204 of the registrant, by an amendment to said Registration Statement filed with the Securities and Exchange Commission on September 10, 1935, and are hereby incorporated by reference in this registration statement as Exhibit I-6 thereto.

Exhibit I-7: Copies of the Agreement dated January 27, 1936 between Kuhn, Loeb & Co. and Field, Glore & Co., acting on behalf of themselves and the other parties named therein as Underwriters, and the registrant, were filed as Exhibit F to Registration Statement (Form A-2) No. 2-1858 of the registrant, by an amendment to said Registration Statement filed with the Securities and Exchange Commission on January 27, 1936, and are hereby incorporated by reference in this registration statement as Exhibit I-7.

Exhibit I-8: Copies of the letter agreement dated September 25, 1935 between the registrant and Donald B. Gillies were filed as Exhibit I-12 to Registration Statement (Form A-2) No. 2-1858 of the registrant, filed with the Se-

curities and Exchange Commission on January 6, 1936, and are hereby incorporated by reference in this registration statement as Exhibit I-8.

Exhibit I-9: Copies of the Agreement dated December 31, 1929 between The Cleveland-Cliffs Iron Company and The Trumbull-Cliffs Iron Company, and the letter dated January 20, 1930; of the Agreement dated December 17, 1929 between the Cleveland-Cliffs Iron Company and Donner Steel Company, Inc.; and of the Agreement dated June 1, 1927 between Central Alloy Steel Corporation and The Cleveland-Cliffs Iron Company were filed as Exhibit I-13 to Registration Statement (Form A-2) No. 2-1858 of the registrant, filed with the Securities and Exchange Commission on January 6, 1936, and are hereby incorporated by reference in this registration statement as Exhibit I-9 thereto.

Exhibit I-10: Copies of the letter agreement dated January 14, 1936 between Varnishes & Paints, Inc. and Truscon Steel Company were filed as Exhibit I-15 to Registration Statement (Form A-2) No. 2-1858 of the registrant, by an amendment to said Registration Statement filed with the Securities and Exchange Commission on January 23, 1936, and are hereby incorporated by reference in this registration statement as Exhibit I-10.

Exhibit J: Not required.

(4) The prospectus, consisting of 54 pages.

Undertaking under Rule 730

Pursuant to Section 15(d) of the Securities Exchange Act of 1934, the undersigned registrant hereby undertakes to file with the Securities and Exchange Commission such supplementary and periodic information, documents, and reports as may be prescribed by any rule or regulation of the Commission heretofore or hereafter duly adopted pur-

suant to authority conferred in said Section 15(d); provided, however, that this undertaking shall become operative only upon the conditions specified in said Section 15(d), and provided, further, that the duty to file pursuant to this undertaking shall be automatically suspended upon the conditions and for the periods specified in clauses (1), (2), and (3) of said Section 15(d).

Signatures

(a) Of the Issuer.

In pursuance of the requirements of the Securities Act of 1933, the registrant, Republic Steel Corporation, a corporation organized and existing under the laws of the State of New Jersey, has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized, and its seal to be hereunto affixed and attested, all in the City of Cleveland, and State of Ohio, on the 20th day of October, 1936.

Republic Steel Corporation,
By T. M. Girdler,
Chairman.

[Corporate Seal]

Attest:
W. W. Hancock,
Secretary.

Exhibits, Signatures.

(b) Of the Principal Executive Officer or Officers, the Principal Financial Officer and the Comptroller or Principal Accounting Officer:

In pursuance of the Securities Act of 1933, the undersigned have signed the within registration statement on the respective dates set beside their names.

(i) Principal executive officer or officers:

T. M. Girdler, Chairman — October 20, 1936.

(ii) Principal financial officer:

Myron A. Wick,
by W. W. Hancock, Vice President — October 20, 1936.

(iii) Comptroller or principal accounting officer:

P. F. Boyer, Comptroller — October 20, 1936.

(c) Of the Directors:

In pursuance of the Securities Act of 1933, the undersigned have signed the within registration statement on the respective dates set beside their names.

Henry K. Bourne	October 20, 1936.
John S. Brookes, Jr.	October 20, 1936.
James Bruce, by W. W. Hancock	October 20, 1936.
D. W. Cooper, by W. W. Hancock	October 20, 1936.
Victor Emanuel, by W. W. Hancock	October 20, 1936.
Donald B. Gillies	October 20, 1936.
T. M. Girdler	October 20, 1936.
W. W. Hancock	October 20, 1936.
Julius Kahn	October 20, 1936.
J. F. Schoellkopf, Jr.	October 20, 1936.
C. E. Sullivan	October 20, 1936.
Charles S. Wachner	October 20, 1936.
Myron A. Wick, by W. W. Hancock	October 20, 1936.
R. J. Wysor	October 20, 1936.

Original powers of attorney authorizing Myron A. Wick and W. W. Hancock, and each of them, to sign on behalf of all the officers and directors of the registrant who signed this registration statement, as above, have been filed with the Securities and Exchange Commission.

Signatures

BOARD'S EXHIBIT NO. 110

REPUBLIC STEEL CORP.

Annual Report and Statistical Section

(Revised May 27, 1937)

Current summary, analysis, and latest news developments published in Bulletin Section (White) R 6.

POSITION AND PROSPECT

Competitive position of this corporation, third largest domestic producer of steel, was further strengthened by acquisition in April, 1937 of all of the assets and business of Gulf States Steel Co., next to largest steel enterprise operating in southern territory. Location of the completely integrated Gulf States Steel plant in Birmingham, Alabama, district, supplemented Republic's primary steel making facilities in that area and gave the corporation a direct entrance into the highly important industrial and agricultural southern market. In line with its general program of expansion, corporation had previously acquired Corrigan, McKinney Steel Co. and its subsidiaries, an important producer of primary and finished steel in the Great Lakes region, and control of Truscon Steel Co., a large fabricator of steel products.

Enlarged enterprise, which is fully integrated from ex-

traction of iron ore, coal and limestone to manufacture of a wide list of finished steel products, has an effective annual capacity of 3,600,000 tons of pig iron, 6,483,000 tons of steel ingots, and facilities for production of 4,947,000 tons of finished hot rolled products. Plants are located in close proximity to principal consuming markets, with primary steel making facilities centering in Cleveland, Youngstown, Warren, Canton, and Massillon, Ohio, and Gadsden, Ala.; with smaller ingot capacities in Buffalo and Chicago. Finishing mills, although more widely scattered, are largely located adjacent to major primary facilities. Corporation has made considerable progress in coordinating activities of its numerous units to achieve more efficient operations.

Acquisitions Expand Facilities

Acquisition of assets of Gulf States Steel Co. having net fixed properties valued at over $22,000,000, provided corporation with a well integrated unit located at Gadsden, Ala., having annual production facilities for about 400,500 tons of ingots, 297,600 tons of finished hot rolled steel products, and finishing facilities for turning out large amounts of wire and wire products, nails and staples, sheets, and miscellaneous products used chiefly in the southern market. Gulf States Steel Co. also owned a substantial portion of the iron ore and coal reserves in the Birmingham, Ala., district.

Corrigan, McKinney Steel Co. acquired in latter part of 1935, had net fixed properties valued at $49,000,000, and brought to the corporation five plants having an annual ingot capacity of 1,000,000 tons, located chiefly in Pennsylvania and Ohio, including large unit at Cleveland having direct access to the Great Lakes; virtually doubled Republic Steel's original holdings of high grade northern ore; and increased coal reserves by about 25%.

Control of Truscon Steel Co. brought into the Republic

Steel organization the largest fabricator of steel in the Mid-West, manufacturing a large variety of products for the construction industry, and provided parent company with an assured outlet for around 300,000 tons of finished steel annually. This acquisition also added a unit suitably equipped to supply readily a large share of potential demands for light steels used in building construction. Main plants of Truscon Steel are located in close proximity to mills of Republic Steel Corp.

Plant Capacities Enlarged

In order to utilize fully the enlarged ingot capacity acquired from Corrigan, McKinney Steel Co., and to provide for the growing requirements from industry for lighter types of steel, company in 1936 expanded and modernized its existing facilities for production of light steel products. Additions made to alloy steel facilities increased productive capacity of Silicon steel strip by about 50% and output of Enduro stainless steel strip was doubled. Additions at Youngstown, materially increased productive capacity of electric weld tube mills, while the Niles and Warren Works were also enlarged to secure larger output of tin plate. Construction at Cleveland of a new 720,000 tons annual capacity 98-inch continuous wide strip mill was also started in 1936, which is expected to be placed in operation in the latter part of 1937. This new unit, with Great Lakes water shipping services available, will enable corporation to compete for a larger proportion of the important sheet steel business emanating from the automotive industry at Detroit.

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345 Hudson St., New York, N. Y.

Printed in United States of America.

This information, while not guaranteed, is believed to be correct.

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Largest Alloy Steel Producer

Corporation is the largest domestic factor in production of alloy and special steels, a sizable part of its aggregate capacity being allocated to mnaufacture of these products, distributed chiefly to the automotive trade. Moreover, considerable additional capacity can be converted to this use. Alloy steels, manufactured under American rights to Krupp patents, are sold under trade names, "Agathon", "Enduro", and "Agathon Nitralloy."

Diversification of Products

Of the corporation's finishing capacity, about three-fourths is devoted to bars, sheets, strip and light plate. The bulk of remaining capacity is in pipe and tubular goods, of which company is the third largest maker. Corporation is also well represented in wire and wire goods classifications, bolts and nuts, and ranks about sixth in production of tin plate. Output of finished steel is largely in lighter types, corporation having no rail or heavy structural capacities. It converts a substantial percentage of its steel output into highly finished products and manufactured articles.

Outlets Diversified

Though the automobile industry is largest single

customer taking about 25% of total output, efforts in recent years to meet a broad range of requirements have resulted in a large volume of business with miscellaneous metal fabricators. The latter in the recent past accounted for almost half of output. Other important demand sources in order of importance are the railroad, food and packing (tin plate for containers), agriculture, oil, gas and water industries.

Iron Ore and Coal Reserves

Reserves of raw materials were substantially increased by acquisition of properties of Corrigan, McKinney Steel Co. and Gulf States Steel Co., latter unit owning large iron ore and coal deposits in Alabama. Total iron ore reserves are estimated at over 258,000,000 tons, located in Michigan and Minnesota ranges, and in Alabama. In addition, large reserves are held by associated interests. Lake Superior iron ore properties provide company with an advantageous source owing to favorable mining costs and low lake transportation charges. Mines are capable of producing some 3,360,000 tons of iron ore annually.

Coal properties and reserves located in Pennsylvania, Kentucky, West Virginia and Alabama, are estimated to contain over 500,000,000 tons of recoverable coal, while mines have an annual production capacity of 3,246,000 tons.

Share Capitalization Increased

Giving effect to issuance of 690,828 common shares for assets of Gulf States Steel Co., common stock was outstanding Dec. 31, 1936, to amount of 4,818,092 shares, including stock held in treasury. Capital readjustment plan effected in 1935, provided for a new issue of 6% prior preference stock, $100 par, offered to holders of existing convertible preferred stock in ratio of one-half share of prior preference series "A" and two common shares for each outstanding

share of convertible preferred and accumulated dividends. In addition 27,929 shares of prior preference and 698,223 common shares were issued to Corrigan, McKinney Steel Co. in part payment for assets acquired, and 16,620 prior preference and 372,941 common shares were issued to stockholders of Truscon Steel Co. After above capital readjustment of senior stocks, there was outstanding on Dec. 31, 1936, 282,303 shares of 6% prior preference, series "A", and 119,597 shares of 6% original convertible preferred stock which was unexchanged under capital readjustment plan. The exchange offer of preferred stocks terminated Dec. 7, 1936.

More Bonds Also Issued

Capital readjustment plan also provided for a new issue of 20-year purchase money first mortgage convertible 5½s of 1954, and a new general mortgage authorized in amount of $127,202,300, issued in part for payment of assets acquired and to provide funds for retirement of all underlying liens (aggregating over $40,000,000) except a small non-callable subsidiary issue. Giving effect to assumption of indebtedness of Gulf States Steel Co., funded debt at Dec. 31, 1936, totaled $117,898,900, consisting of $92,934,000 general mortgage 4½s issued in series, of which $25,000,000 was sold in November, 1936, to provide funds for capital improvements; $15,361,000 purchase money first mortgage convertible 5½s; and $7,000,000 assumed first (closed) mortgage of Gulf States Steel Co.

Dividends

Dividends on 6% prior preference stock series "A", started Jan. 1, 1936 on regular $1.50 quarterly basis, and arrears of $4.50 a share (representing accruals for 1935) were paid off Oct. 23, 1936. On old convertible preferred unexchanged under capital readjustment plan, dividends were resumed after a lapse from 1930 with payment of $12

a share Dec. 19, 1936, followed by disbursement of $1.50 on April 1, 1937, and declaration of like amount payable July 1, 1937, on account of arrears. Giving effect to latter payment, unpaid accumulations amounted to $25.50 a share. No common dividends paid since 1930.

Larger Earnings in 1936

In response to heavier demand from the automotive industry and increased buying by other large users of lighter types of steel, company's shipments of finished and semi-finished steel products rose to 3,400,000 tons in 1936, and ingot production reached 70.9% of capacity. In 1935, which included Corrigan, McKinney Steel Co. from Oct. 1, only shipments totaled 2,196,000 tons, and ingot production averaged 54.9% of capacity.

Including operating results of Truscon Steel Co. and N. & G. Taylor Co. (which were not included in previous years), net sales for 1936 expanded to peak of $218,317,000,

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and net income, after $4,816,000 for depreciation and depletion and $950,000 surtax on undistributed profits, as $9,587,000, equal to $1.74 a common share, after preferred dividend requirements. Including Corrigan, McKinney Steel Co. from Oct. 1, only net sales for 1935 totaled $136,165,000, on which a net income of $4,456,000 was realized, the first full year's profit since organization of the Company in 1930. Earnings available for common in 1935 were equal to 49 cents a share.

In line with improved farming and business conditions in the Southern States, net sales of Gulf States Steel Co. rose 45% in 1936, to $12,778,000. After all charges, net income for year was $660,000, compared with net of $141,000 in 1935.

Financial Position

Because of consolidation of accounts with Truscon Steel Co. in 1936, financial statement of Republic Steel Corp. at year-end, was not directly comparable with that of a year previous. Current assets of $93,524,000, included $13,350,000 cash, $22,158,000 receivables and $58,015,000 inventories, while current liabilities were shown at $20,717,000. Net working capital was $72,806,000, or some $10,500,000 larger than amount shown at 1935 year-end. In addition, there was segregated as a fixed asset, cash of $23,087,000 obtained from new financing and earmarked for capital improvements.

Gulf States Steel Co. at close of 1936 had current assets of $6,432,000, about half of which consisted of inventories. Cash amounted to $1,354,000, and exceeded total current liabilities by $344,000.

Property Account; Book Value

Reflecting acquisitions and consolidations effected during 1936, total assets of Republic Steel at year-end had expanded to $343,950,000, from $297,476,000 a year before. Gross property account stood at $360,016,000, and after $154,856,000 depreciation and depletion reserve, net valuation was $205,160,000. Investments in unconsolidated subsidiaries were shown at $1,987,000 and securities of associated companies and other investments (listed securities) were booked at $9,316,000. Advances to unconsolidated subsidiaries, associated and other companies amounted to $2,930,000. Book value of common stock was $38 a share, compared with $36.35 on Dec. 31, 1935.

The Outlook

Increased volume and firmer price structure enabled the corporation to achieve a net profit of $5,567,000 in first three months of 1937, the best result for any quarterly

period since its organization. With a heavy backlog of unfilled orders on hand at beginning of second quarter, and with no appreciable decrease in volume of incoming business in prospect, continued high rate of steel production for remainder of the year was indicated, especially as acquisition of Gulf States Steel Co. placed company in a position to secure an increased proportion of southern trade. Generally higher steel prices effected in second quarter of 1937 were expected to offset in large part wage increases granted by the industry and higher raw material costs; while economies resulting from further expansion and modernization of facilities added to company's prospects of benefiting from increased production.

May, 1937. Standard Statistics Co., Inc.

HISTORY

Republic Steel Corp was organized under the laws of New Jersey and succeeded by change of name April 8, 1930, Republic Iron & Steel Co. Latter company was incorporated May 3, 1899, with perpetual charter under the laws of New Jersey as a consolidation of about 27 companies whose properties were taken over in fee by purchase, except mines, which were acquired by leasehold.

Corporation merged substantially the entire assets of Republic Iron & Steel Co., Central Alloy Steel Corp., Donner Steel Co., Inc., The Bourne-Fuller Co. and The Berger Manufacturing Co. pursuant to an agreement dated Jan. 15, 1930. The foregoing, except The Berger Manufacturing Co., were united under single ownership and control on April 8, 1930, thus losing their corporate entities.

Recent Acquisitions

In September, 1935, corporation acquired properties

and assets of Corrigan, McKinney Steel Co. and its subsidiaries, including control of Newton Steel Co., large manufacturer of sheet steel. For net fixed properties valued at $49,000,000, Republic Steel issued $15,361,000 of 5½% 20-Year Purchase Money First Mortgage Bonds, due Nov. 1, 1954, 27,929 shares of 6% convertible prior preference stock $100 par and 698,223 shares of no par common stock. These securities were equivalent to $11 principal amount of bonds, $2 par value of prior preference stock and one-half share of common stock for each common share of Corrigan, McKinney Steel Co.

In October, 1935, corporation acquired control of Truscon Steel Co., a large fabricator of finished steel, under an offer involving an exchange of stock on the basis of one-half share of convertible prior preference and two shares of common stock for each share of Truscon Steel preferred, and four-tenths of a share of common for each common share of Truscon Steel. Under the terms, a maximum of 16,794 convertible prior preference and 375,878 shares of common stock were to be issued upon complete exchange of shares. Offer to preferred stockholders of Truscon Steel was terminated Dec. 4, 1936. As of Jan. 8, 1937, Republic Steel owned 32,712 shares of Truscon Steel preferred and

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739,508 shares of common, or 98.5% and 96.5% of outstanding stock, respectively.

Early in 1936 corporation acquired all the stock and bonds of Niles Steel Products Co. of Niles, Ohio. It previously had owned a substantial interest in this concern.

July 1, 1936, Canton Tin Plate Co. was purchased for cash.

All of the properties, assets and business of Gulf States

Steel Co., second largest integrated steel producer in the South, were acquired by corporation as of April 7, 1937, under an offer involving exchange of 2⅓ common shares of Republic Steel Corporation for each outstanding share of Gulf States Steel Co., and assumption of all indebtedness including $7,000,000 first (closed) mortgage sinking fund 4½s, due 1961, of Gulf States Steel. Republic Steel Corp. had previously held about 30% of the outstanding stock of Gulf States Steel Co. Under terms of the purchase, a total of 690,828 common shares of Republic Steel were issued for properties having a net valuation of $22,291,000, and including large raw material sources such as iron, coal and limestone deposits. Plant of Gulf States Steel Co. had a rated annual production of capacity of 400,500 tons of steel ingots, and finishing facilities for production of wire and wire products, sheets, and plates. Acquisition greatly strengthened Republic's position in the South, rounding out its existing pig iron producing facilities in that area, and enabled it to take a strong position in the important Southern steel market.

Subsidiaries and Affiliates

Principal subsidiary and associated companies as of Dec. 31, 1936, were as follows:

Consolidated in Financial Statements

Name—	% of Stock Owned
Steel and Tubes, Inc.	100
Truscon Steel Co.	†
Union Drawn Steel Co.	100
The Berger Mfg. Co.	100
The Trumbull-Cliffs Furnace Co.	100
Republic Steel Corp. of Del.	100
Donner Mining Co.	100

Name—	% of Stock Owned
Republic Collieries Co.	100
Ideal Foundry & Machine Co.	100
Union Drawn Steel Co., Ltd.	100
The Columbia Land Co.	100
Searight Supply Co.	100
The Newton Steel Co.	*
The Upper Mahoning Land Co.	100
The River Terminal Railway Co.	100
The River Dock Co.	100
Furnace Water Co.	100
The N. & G. Taylor Co.	100
Penokee Ore Co.	100

*As of Nov. 10, 1936, company owned 77.9% of preferred and 81.2% of common stock of Newton Steel Co.

†As of Jan. 8, 1937, company owned 98.5% of preferred and 96.5% of common stock of Truscon Steel Co.

Carried as Investments in Financial Statements

Name—	% of Stock Owned
Donner-Hanna Coke Corp.	50
Fretz-Moon Tube Co., Inc.	50
Lake Erie Limestone Co.	28
Mahoning Ore & Steel Co.	6
The Mesaba-Cliffs Mining Co.	9
The Niles Steel Products Co.	100
Potter Ore Co.	50
Republic Supply Co.	35
Susquehanna Ore Co.	50

Other Affiliated Companies

Name—	% of Stock Owned
Cambria Steamship Co.	6
Cleveland Lime & Transport Co.	25
General Water Co.	20
Rugby Iron Co.	40
Union Limestone Co.	16⅔
Vermillion Mining Co.	25
Hoyt Mining Co.	*
Plymouth Mining Co.	*

*Amount of interest held is not reported.

BUSINESS

Acquisition of Gulf States Steel Co. further strengthened this corporation's position as the third largest producer of steel in the United States. Company is fully integrated from the mining of ore and other raw materials to the manufacture of a widely diversified line of finished products, except heavy structurals and rails. Company converts a greater percentage of its steel output into highly finished products and manufactured articles than any other of the large steel companies.

Combined enterprise has an effective annual capacity of 3,600,000 tons of pig iron, 6,483,000 tons of ingots, and about 4,947,000 tons of finished hot rolled steel products. Preponderance of facilities is in merchant and concrete reinforcing bars which account for about 43% of total rolled steel; followed by sheets 28%; strip, 11%; skelp, 5%; and wire rods and black plate, about 2% each. About one-seventh of capacity is devoted to manufacture of high grade

alloy, carbon, and special steels including high tensile and stainless steels.

Company is third largest domestic producer of tubes and pipe, being equipped for 846,500 tons per annum; main output is under the Johnston process of electric welding, although lap and butt weld methods are also employed. Republic is sixth in domestic ranking as a maker of tin plate, capacity being over 3,150,000 base boxes yearly. Products include also nuts, bolts and rivets, wire products, automobile axles and 320,000 tons of cold drawn steels.

Outlets—In recent years almost half of output has been consumed by a large number of miscellaneous users, including jobbers and distributors. Of individual outlets, the automobile trade remains dominant taking about 25% of

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output, with other outlets, in order of importance, the railroad, food and packing, agriculture and oil, gas and water industries. Acquisition of Truscon Steel Co. gave company control of a diversified steel fabricating enterprise using several hundred thousand tons of steel annually, and having 27 warehouses, facilitating also distribution of other products of the combined enterprise.

Products of the Gulf States Steel Division, consisting in large part of wire products, with merchant and concrete bars, sheets and plates, next in importance, are distributed for the most part to jobbers, dealers and warehousemen, and to the building, tank, drum and container trades, railroad companies, bridge and road building industry, and bolt, nut and rivet industry. The agricultural trade is the principal consuming source of wire products. Approximately three-fourths of Gulf States output is sold in Alabama, Florida, Georgia, Louisiana, North Carolina, Tennessee and Texas. Favorable location of this division enables

it to do a substantial export business with the West Indies, Central and South America.

Sales offices are maintained in the principal cities of the United States, in Hamilton, Ont., and London, England.

Patents and Licenses—Corporation and its subsidiaries own numerous patents and patent rights, among them being the United States and Canadian patents covering the Johnston process for electric welding of steel tubing, especially thin guage tubing, owned by Steel and Tubes, Inc.

Stainless steels are produced, in part, under Krupp Licenses. The company is also a licensee of, and has constructed facilities for using the continuous strip sheet rolling method patented by the American Rolling Mill Co., to whom it pays royalties on a tonnage basis.

Business of Subsidiaries

The Berger Manufacturing Co. manufactures desks, tables, cabinets, files, shelving, special office furniture, lockers, trays, bins, racks, special units, counters, voting machines and booths, signs, frames, tool boxes, radiator covers, laboratory equipment, bottle cases and racks, beer cases, air conditioning cabinets, parts boxes and formed roofing product

The Newton Steel Co. manufactures hot rolled, hot rolled annealed, heavy cold rolled, cold rolled and vitreous enameling sheets.

Steel & Tubes, Inc., manufactures boiler tubes, condenser tubes, mechanical tubing, bedstead tubing, rail carbon structural tubing, stainless steel tubing, stampings, and electrical conduit.

Union Drawn Steel Co. manufactures cold drawn and turned and polished steel, turned and ground shafting, free

cutting screw steel, rounds, squares, flats, hexagons and special shapes, pump and piston rod, axles, needle bar stock, crankshafts, bessemer, open hearth, alloy and electric steels in a wide range of analysis.

Truscon Steel Co. manufactures steel window products, steel doors, steel flooring systems, bridge flooring steel joists, structural steel, reinforcing steel, metal lath and accessories, highway reinforcing steel products, steel faced insulation products, steel poles, pressed and drawn steel products, complete steel buildings, steeldeck roofs, radio towers, and mechanical and non-mechanical window mufflers ("Silentaire").

Niles Steel Products Co. manufactures stampings and pressed steel parts, barrels, drums and pails.

PROPERTIES

Acquisition of Gulf States Steel Co. brought to the corporation second largest steel producer of the South, including large iron ore, coal and limestone reserves in that area. Previously, through merger with Corrigan, McKinney Steel Co. five plants were acquired, located chiefly in Pennsylvania and Ohio, with large units at Cleveland and near Detroit, easily accessible to the important automobile industry. Recent acquisitions also practically doubled corporation's holdings of high grade northern iron ore and increased coal reserves by about 25%. Majority of plants of the enlarged enterprise are located in six major steel consuming centers, the Valley (around Youngstown, Ohio), Cleveland, Chicago, Buffalo, Pittsburgh, and Alabama districts. Largest producing unit is at Youngstown, Ohio, with finished hot rolled steel capacity of 979,000 gross tons per annum, while other important units are strategically located at Cleveland, Ohio, and Gadsden, Ala.

Additions and Improvements to Property—Company has been carrying out an extensive program of plant improvement. Since 1930, expenditures for additions and improvements totaled about $65,000,000. Important units of new construction in 1936 included new 98-inch continuous wide strip mill at Cleveland, expected to be placed in operation in latter part of 1937. New mill will have an annual capacity of 720,000 tons of wide strip, and will enable company to participate actively in the growing demand for wide sheets. Additions at the Youngstown plant materially increased productive capacity of the electric weld tube mills, while improvements at Warren plant resulted in larger production of tin plate, and increased Silicon steel strip production capacity by about 50%. Corporation's capacity for production of Enduro stainless steel strip was doubled during 1936, at the Central Alloy District, and additional strip tin mill at Niles plant increased production of tin mill products by about 10,000 tons a month.

Manufacturing Plants

Youngstown Works at Youngstown and Campbell, Ohio, covers approximately 227 acres of land, upon which are located 204 by-product coke ovens and a by-products plant, 4 blast furnaces having an annual capacity of 980,000

gross tons of pig iron, 15 open hearth furnaces of 1,043,000 gross tons of steel ingots annually and 2 Bessemer converters of 480,000 gross tons of steel ingots. Finishing facilities include blooming mills, billet mills, bar mills, skelp mill, plate mill, butt weld and lap weld pipe furnaces, electric weld pipe mills, and spike plant for the production of blooms, billets, slabs, sheet bar, and other semi-finished or finished products.

Warren Works at Warren, Ohio, covers approximately

640 acres of land, and has a blast furnace of 360,000 gross tons of pig iron and 8 open hearth furnaces of 656,000 gross tons of steel ingots annually; coke ovens and a by-products plant. Finishing equipment consists of blooming mill, billet mill, hot strip mills, cold strip department, sheet mills and tin mills for production of blooms, billets, slabs, sheet bar, hot and cold rolled strip, sheets, tin plate, conduit and other products.

Niles Works at Niles, Ohio, covers 50 acres of land upon which are located 8 sheet mills producing hot rolled, hot rolled annealed electrical and other varieties of sheets, and a strip tin plant having a monthly production capacity of 10,000 tons of tin mill products.

Canton Works at Canton, Ohio, consists of 613 acres of land upon which are a blast furnace of 210,000 gross tons of pig iron annually, 14 open hearth furnaces with an estimated annual capacity of 923,000 gross tons of steel ingots and 6 electric furnaces of 130,000 gross tons of steel ingots, 62 coke ovens and a by-products coke plant. Finishing facilities include blooming mills, bar mills, sheet mills jobbing mills and tin mill for the production of blooms, billets, slabs and sheet bar, alloy steels, bar mill products, sheets, tin plate, fabricated sheet metal products and metal culverts.

Massillon Works at Massillon, Ohio, covers approximately 422 acres of land upon which are located a blast furnace with an estimated annual capacity of 230,000 gross tons of pig iron, 9 open hearth furnaces having an estimated annual capacity of 523,000 gross tons of steel ingots, 49 coke ovens and a by-products plant. Finishing equipment includes blooming mill, billet mill, bar mills, strip mills, sheet mills, and finishing department for "Enduro" sheets and strip.

Cleveland Works (Corrigan, McKinney Plant) at

Cleveland, Ohio, covers approximately 294 acres of land, with lake transportation facilities, upon which are located 204 by-product coke ovens and a by-products plant, 4 blast furnaces with an estimated annual capacity of 900,000 gross tons of pig iron and 14 open hearth furnaces with an estimated annual capacity of 1,040,000 gross tons of steel ingots. Finishing equipment includes blooming mills, bar mills, billet mill and sheet bar mill for production of blooms, billets, slabs, sheet bar and bar mill products.

Gadsden Works (Gulf States Steel Co. Plant) at Gadsden, Ala., is located on 600 acres of land of which the plant proper covers approximately 250 acres. Equipment consists of a blast furnace having an annual capacity of 150,000 gross tons of pig iron; 6 open-hearth furnaces rebuilt for use of natural gas and to a required capacity of 430,000 gross tons of steel ingots annually; Koppers By-Product coke plant containing 37 ovens having an estimated annual capacity of 165,000 net tons of coke; 40-inch blooming mill; 32-inch universal plate mill; rod mill; merchant bar mills; sheet mills; wire mills, including nail, barbed wire, woven wire fencing and processing departments. Finishing facilities are capable of utilizing the entire production of steel ingots. Plant has an effective annual capacity of 297,600 gross tons of finished hot rolled steel products, made up of 48,000 tons sheared and universal plates; 50,000 tons black sheets; 83,800 tons merchant and concrete reinforcing bars; and 115,800 tons wire rods. Capacity of other finished products is estimated at 434,000 gross tons, of which wire accounts for 286,000 tons; nails and staples, 75,000 tons; and galvanized sheets, 54,000 tons. Property also includes a central power plant operated principally on furnace gas or pulverized coal, having a rated generating capacity of 15,000 k. v. a.

N. & G. Taylor Works at Cumberland, Md., consists of

tin plate mills for production of tin and terne plate.

The Newton Steel Co. at Monroe, Mich., owns approximately 140 acres with lake transportation facilities on Lake Erie. Equipment consists of sheet mills for production of various kinds of sheets.

Buffalo Works at Buffalo, N. Y., covers approximately 125 acres with lake transportation facilities of Lake Erie. Equipment includes 2 blast furnaces having an annual capacity of 450,000 gross tons of pig iron, 9 open hearth furnaces of 554,000 gross tons of steel ingots and an electric furnace with an annual capacity of 12,000 gross tons of steel ingots. Finishing equipment includes blooming mill, bar mills, billet mill, and die roll finishing department for production of blooms, billets and slabs, alloy steels, bar mill products and die rolled products. A 50% interest in by-product coke ovens located adjacent to this plant is owned.

South Chicago Works and Grand Crossing Works at Chicago, Ill., cover approximately 52 acres with lake transportation facilities on the Calumet River. Equipment includes 8 open hearth furnaces with an estimated annual capacity of 408,000 tons of steel ingots, blooming mill, billet mill, bar mill, rod and bar mill, spike plant and wire mill, and nail and fence wire plant for production of semi-finished steel, rods, wire fencing, nails and railroad spikes.

Sylvan Works at Moline, Ill., consists of bar mill for production of re-rolled bar and other steel products.

Birmingham Works at Birmingham, Ala., consists of 57 coke ovens and by-products plant, and 2 blast furnaces

having an annual estimated capacity of 320,000 gross tons of pig iron.

Upson Nut Division comprises the Upson Works at

Cleveland, Ohio, Indiana Bolt Works at Muncie, Ind., and Unionville Works at Unionville, Conn. The Upson Works comprises 25 acres at Cleveland, Ohio, with lake transportation facilities on the Cuyahoga river. Equipment consists of open hearth furnaces, blooming mill, bar mills, bolt, nut and rivet factory for production of bolts, nuts and spikes. A warehouse is also located on this property. Indiana Bolt Works at Muncie, Ind., consists of a turnbuckle plant, Unionville Works at Unionville, Conn., produces bolts and nuts.

Dilworth-Porter Division at Pittsburgh, Pa., covers approximately 7 acres. Equipment includes bar mill, tie plate mill, spike plant and tie plate finishing department for production of bar mill products, tie plates and spikes.

Canton Culvert Division at Canton, Ohio, consists of a metal culvert fabricating plant.

Union Drawn Steel Co. operates cold drawn steel plants at Massillon, Ohio, Gary, Ind., Hartford. Conn., and Hamilton, Ont., Canada, and a cold drawn steel and foundry plant at Beaver Falls, Pa.

Steel & Tubes, Inc., operates electric weld tube plants at Cleveland, Ohio, and Ferndale, Mich., electric tube and conduit plants at Brooklyn, N. Y., and a plant at Elyria, Ohio, containing hot skelp and reinforcing bar mill, cold strip mills, electric weld tube mill and metal stamping division.

The Berger Manufacturing Co. operates a steel fabricating plant at Canton, Ohio.

Truscon Steel Co. operates steel fabricating plants at Youngstown and Cleveland, Ohio, Los Angeles, Cal., Walkerville, Ont., and Kawasaki, Japan. Reinforcing bar fabricating plants are operated at Birmingham, Ala., Boston,

Mass., Buffalo and Long Island City, N. Y., Chicago, Ill., Cincinnati, Cleveland, and Youngstown, Ohio, Dallas, Texas, Detroit, Mich., Harrison, N. J., Indianapolis, Ind., Jacksonville, Fla., North Kansas City, Mo., Los Angeles, Cal., Milwaukee, Wisc., Norfolk, Va., Philadelphia, Pa., Portland, Ore., San Francisco, Calif., and St. Paul, Minn.

Summary of Plants

Summary of plants of the corporation and subsidiaries, as of Dec. 31, 1936, and before giving effect to acquisition of properties of Gulf States Steel Co., is as follows:

By-products coke ovens	740
Blast Furnaces	15
Open hearth furnaces	82
Bessemer converters	2
Electric furnaces	7
Blooming mills	11
Billet and bar mills	8
Merchant mills	24
Skelp mill	1
Rod mill	1
Plate mill	1
Hot strip mills	4
Cold strip mills	3
Sheet mills	96
Black plate mills	30
Tin plate departments	4
Lap weld pipe furnaces	3
Butt weld pipe furnaces	4
Electric weld pipe mills	3
Tube plants—electric weld	4
Wire and nail plants	2
Axle plants—die rolled	2
Bolt and nut factories	3
Cold drawn steel plants	6

Spike factories	3
Metal stamping plants	2
Tie plate plant	1
Culvert plant	1
Steel fabricating plants	6
Pressed steel plant	1
Reinforcing bar fabricating plants	21
Foundry	1
Warehouses	30

Capacity

Annual potential output of all the plants for production of various materials in gross tons, is approximately as follows, after giving effect to acquisition of Gulf States Steel Co., but does not include capacities of new facilities built in 1936. Approximately 15% of ingot and finished steel capacity is devoted to production of alloy and special steels, while considerable additional capacity can also be converted to this use.

	Gross Tons
Primary Materials—	
Pig iron	3,600,000
Steel ingots	6,483,000
Finished Hot Rolled Steel Products—	
Plates—sheared	112,000
Plates—universal	256,000
Bars—including concrete reinforcing	1,543,000
Bars—other than concrete reinforcing	511,200
Bars—concrete reinforcing	69,600
Skelp	240,000
Black sheets—hot rolled and hot rolled annealed	427,000
Sheets—hot rolled annealed	436,000
Sheets—cold rolled	516,000

Strip	534,500
Black plate	104,500
Wire rods	115,800
Blanks or pierced billets for seamless tubes	48,000
Blanks or pierced billets for forging	12,000
Black plate for tinning	22,000
Total Finished Hot Rolled Steel	4,947,600

Other Finished Steel Products (Large part of which are produced from above finished hot rolled steel)—

	Gross Tons
Pipe—butt weld	152,000
Pipe—lap weld	161,000
Pipe—electric weld	429,000
Pipe—galvanized	35,000
Strip—cold rolled	175,700
Tin & terne plate	142,700
Sheets—galvanized	183,000
Sheets—long terne	17,000
Sheets—cold rolled	214,000
Sheets—Enduro stainless	1,600

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Spikes	32,500
Railroad and mine spikes	24,000
Track bolts & nuts	22,000
Bolts, nuts & rivets	63,000
Turnbuckles	13,000
Tacks	2,100
Tie plates	7,500
Wire rods	104,000
Wire—plain	172,000
Wire—galvanized	70,000

Wire—barbed	51,000
Wire—fencing	31,000
Nails and staples	91,400
Bale ties	9,000
Fence posts	8,500
Forged products—commercial	6,000
Steel castings	1,000
Iron castings	1,000
Cold drawn products	320,300
Electric weld tubes	69,500
Total Other Finished Steel Products	2,609,800

Fuel and By-Products—

Coke (tons)	3,968,000
Light oil (gallons)	14,074,000

Iron Ore Properties

Extensive iron ore properties equipped for operation are located in Marquette, Iron, and Gogebic Counties, Mich., and St. Louis and Itasca Counties, Minn., and in Jefferson County and Shannon, Ala. The Minnesota and Michigan properties, designated as the Northern Ore Properties are for the most part held under mining leases, while the Alabama property, designated as Southern Ore Properties, are owned in fee or held under mining leases. In addition, iron ore properties in Minnesota, Michigan and Alabama are held as reserves. Total of all iron ore is estimated at 258,670,000 tons, while large reserves are held by associated interests. Mines are capable of turning out some 3,360,000 tons of iron ore annually. Principal active mines owned in whole or in part by Republic Steel Corp., are as follows:

Northern Iron Ore Properties—Among the principal active mines owned in whole or in part, or leased by Republic Steel Corp., are the following: Ironton Mine, Besse-

mer, Mich.; Lloyd Mine, Ishpeming, Mich.; Cambria Mine, Negaunee, Mich.; Tobin Mine, Crystal Falls, Mich.; Alexandria Mine, Chisholm, Minn.; Commodore and Julia Mines, Virginia, Minn.; St. Paul-Day Mine, Keewatin, Minn.; Stevenson Mine, Stevenson, Minn.; Susquehanna, Mine, Hibbing, Minn.

Southern Ore Properties include the Raimund Group and Spaulding Mine at Birmingham, Ala.

Iron ore properties acquired in connection with purchase of assets of Gulf States Steel Co. are located at Shannon (near Birmingham), Ala., and comprise about 1,870 acres of red hematite ore. Mines have an annual production capacity of approximately 360,000 gross tons of ore. Properties were estimated to contain on Sept. 25, 1936, approximately 88,670,000 gross tons of recoverable ore as follows: 10,070,000 tons recoverable from approximately 190 acres accessible to mine plant and development; 53,000,000 tons recoverable from approximately 900 acres, not developed but accessible to present plant upon additional development; and 25,600,000 tons recoverable from approximatel 780 acres, not accessible to present plant and requiring opening from the surface for its recovery. The average analysis of this ore was reported as follows: Metallic iron, 38.39%; silica, 11.86%; alumina, 3.02%; lime, 14.59%; phosphorus, 0.29%.

Affiliated Mining Companies—Subsidiaries or affiliates engaged in mining ore include (1) the Donner Mining Co., operating the Alexandria mine under a 25-year lease expiring in 1941, with minimum of 200,000 tons annually; (2) the Mahoning Ore & Steel Co., the Mesaba-Cliffs Mining Co., Rugby Iron Co., Union Ore Co., and Vermillion Mining Co. operating mines on the Mesaba and Vermillion ranges; (3) Townsite mine in the Lake Superior district; (4) Susquehanna Ore Co., operating the Susquehanna mine on the

Mesaba Range, with capacity of 1,000,000 tons annually, and reserves sufficient to last through 1940, at least, and (5) Potter Ore Co. holding iron ore lands in Alabama.

Coal Property

Coal reserves are held in two principal regions, the Northern in Fayette and Allegheny Counties, Pa., equipped for operation and in Pike County, Ky., Washington and Indiana Counties, Pa., and Kanawha County, W. Va., held as reserves. Southern coal property all located in Alabama, include property in Jefferson County, and Virginia (near Birmingham) and Sayre, equipped for operation and held as reserves, and undeveloped coal lands in Tuscaloosa, Fayette and Walker Counties, Ala. Aggregate reserves were estimated at about 500,780,000 tons of recoverable coal. Production capacity of mines total 3,246,800 tons per annum.

Northern Coal Properties—Mines of the Northern Coal Properties are known as the Russelton, Republic, Davidson, Trotter, Indianola and Brownsville Junction Mine, all located in towns of like names in Pennsylvania.

Southern Coal Property known as the Sayreton Mine is located at Birmingham, Ala., near company's blast furnaces. Coal properties acquired in connection with purchase of assets of Gulf States Steel Co. consist of extensive reserves in Alabama, and include approximately 2,450 acres at Virginia (near Birmingham), Ala. (of which 960 acres are within the present mine workings), estimated to contain on Sept. 25, 1936, about 7,900,000 net tons of recoverable low ash, low volatile coal suitable for blending with other coals in coke manufacture; and approximately 5,050 acres at Sayre, Ala., of which 1,250 acres are within the present mine workings, and estimated to contain as of Sept. 25, 1936, 11,240,000 net tons of recoverable coal within

the present mine workings, 5,100,000 net tons accessible to present plant and development; and 12,540,000 net tons re-

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quiring additional openings and plant for recovery. Mines on Virginia, Ala., property are equipped for a daily production of 600 net tons and Sayre mines are equipped to produce 1,500 net tons daily. Undeveloped coal reserves located in Tuscaloosa, Fayette and Walker Counties, Ala., and held as reserve, were estimated to contain on Sept. 25, 1936, recoverable tonnage of about 264,000,000 net tons.

Affiliated Coal Mining Companies—Coal or coke operations are carried on by the following: (1) Donner-Hanna Coke Corp. (in which the company has a half interest, with remainder owned by National Steel Corp.) operating a by-product plant adjacent to Republic's Buffalo plant, and consisting of about 150 Kopper coke ovens; entire gas output and half of coke is taken by Republic, and (2) Republic Collieries Co., operating coal mines in Pennsylvania.

Limestone Properties

Limestone properties are concentrated at Birmingham, Ala., at the Thomas quarries and at Cobb City (near Gadsden, Ala.). Latter unit comprises about 400 acres of land. The Union Limestone Co. and the Lake Erie Limestone Co. in which interests are held, operate quarries near Carbon, Pa., while the Cleveland Lime & Transport Co. owns limestone deposit on Kelley Island, Ohio.

Other Properties

Transportation—The Cambria Steamship Co. (partly owned) is engaged in carrying ore on the Great Lakes.

Real Estate—The Columbia Land Co., a housing company, owns dwellings and buildings adjoining the Massillon plant of the corporation.

Water Supply—The General Water Co. supplies the water for coal mines in Fayette County, Pa.

FUNDED DEBT

As of Dec. 31, 1936, after giving effect to acquisition of Gulf States Steel Co. and assumption of $7,000,000 first (closed) mortgage sinking fund 4½s, of latter company:

Purchase Money First Mortgage Conv. 5½s, due Nov. 1, 1954 ..... $15,361,000

Dated Nov. 1, 1934. Interest Payable May and November 1, at Central United National Bank, Cleveland, or Chase National Bank, New York. Coupon, $1,000, $500 and $100 registerable as to principal. Registered, $1,000, $5,000 and $10,000, or any multiple of $10,000. Coupon and registered bonds interchangeable. Authorized—$25,000,000. Sinking Fund—Payable in cash or bonds taken at principal amount, on Nov. 1, 1937, and each Nov. 1, thereafter, in an annual amount equal to 2½% of maximum amount of bonds at any time issued. Any cash in sinking fund shall be applied to purchase of bonds at not exceeding the then current redemption price and, if not so applied, shall be applied to the redemption of bonds by lot. All bonds so delivered, purchased or redeemed shall be cancelled. Redeemable on any interest date as a whole or in part (by lot), upon six weeks' published notice, at 107½ and interest on or before Nov. 1, 1935, such premium being thereafter decreased 1% each year during the next five years and continuing thereafter at 2½% until Nov. 1, 1949, and being thereafter decreased ½ of 1% each year until maturity. Convertible at any time prior to maturity at option of holder into common stock at rate of one share of common for each $38.04 principal amount of bonds. Issue was originally convertible into common stock at rate of $40 per share but due to is-

suance of common shares for acquisition of Gulf States Steel Co. in April, 1937, conversion rate was adjusted to present basis. If any of bonds shall be called for redemption, the right of holders to convert shall terminate at close of business of fifteenth day prior to date of redemption. Mortgage carries provisions against dilution of conversion privilege. Security—A direct obligation of company and secured by a first and purchase money lien on all the fixed assets acquired by corporation from Corrigan, McKinney Steel Co. and on stocks and certain other securities of subsidiary companies owned by Corrigan, McKinney Steel Co. at date of acquisition of its assets. Mortgage will also attach to all improvements and additions constructed on or forming an integral physical part of the properties subject thereto, and to all properties to reimburse corporation for acquisition or construction of which bonds shall be issued or moneys paid out under the Purchase and Improvement Mortgage. Additional bonds issued under the Purchase and Improvement Mortgage will be subject to the lien of the mortgage dated March 17, 1910, securing the 10-30 year 5% Sinking Fund Mortgage Gold Bonds of the corporation, if and to the extent that the same shall attach thereto. Issued in part payment for assets of Corrigan, McKinney Steel Co. acquired by the corporation. Trustees—Central United National Bank, Cleveland, and H. R. Harris.

General Mtge. Conv. 4½s, Series "A" due Sept. 1, 1950	$24,000,000
General Mortgage 4½s, Series "B," due Feb. 1, 1961	*$43,934,000
Gen. Mtge. 4½s, Series "C," due Nov. 1, 1956	$25,000,000

*Excludes $1,066,000 held in treasury.

Mortgage Dated Sept. 1, 1935. Dated—(Series A) Sept. 1, 1935; (Series B) Feb. 1, 1936; (Series C) Nov. 1,

1936. Interest Payable (Series A) March and Sept. 1; (Series B) Feb. and Aug. 1; (Series C) May and Nov. 1, at Chemical Bank & Trust Co., New York City.

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Coupon—(Series A) $1,000; (Series B & C) $1,000 and $500, registerable as to principal. Registered—(Series A, B & C) $1,000, $5,000 and $10,000, or multiples of $10,000. Coupon and registered bonds are interchangeable. Authorized (all series) $137,202,300.

Sinking Fund (Series "A")—Annual payments beginning Sept. 1, 1936, to and including Sept. 1, 1939, of 1½% of maximum amount of bonds issued; and each Sept. 1, thereafter, an amount equal to 2½% of maximum principal amount issued. Sinking fund is payable either in cash or in bonds at their principal amount. Cash in the sinking fund shall be applied by the trustee to the purchase of bonds at not exceeding the then current redemption price, or redemption of bonds by lot. Sinking fund is cumulative, i. e., interest accruing on bonds held in sinking fund will be added to the sinking fund. Sinking Fund (Series "B")—Cumulative annual payments, beginning Feb. 1, 1937, to and including Feb. 1, 1941, of 2½% of maximum principal amount of Series B bonds issued; and each Feb. 1, thereafter to and including Feb. 1, 1946, an amount equal to 2¼% of maximum principal amount issued; and each Feb. 1, thereafter, an amount equal to 2% of maximum principal amount issued. Sinking fund is payable either in cash or in bonds at their principal amount. Cash in sinking fund shall be applied to purchase or redemption of Series B bonds, on 6 weeks' notice, at 102½ on or before Jan. 31, 1941; thereafter at 102 through Feb. 1, 1946; thereafter at 101½ through Feb. 1, 1951; thereafter at 101 through Feb. 1, 1956; thereafter at 100¾ through Feb. 1, 1958; thereafter at 100½ through Feb. 1, 1959; thereafter at

100¼ through Feb. 1, 1960; thereafter at 100; together, in each case, plus accrued interest. Sinking fund is calculated to retire not less than $43,187,075 of the $45,000,000 principal amount of Series "B" bonds by maturity. Sinking Fund (Series C)—Beginning Nov. 1, 1937, and on Nov. 1, in each year thereafter, in an annual amount equal to 2% of maximum principal amount of Series C bonds issued. Sinking fund is cumulative, i. e., interest accruing on bonds in sinking fund will be added to the sinking fund. Payments for the sinking fund may be made either in cash or in bonds at their principal amount. Cash in sinking fund shall be applied to purchase or redemption of Series C bonds on 6 weeks' notice at 102½ on or before Oct. 31, 1941; thereafter at 102 through Nov. 1, 1944; thereafter at 101½ through Nov. 1, 1948; thereafter at 101 through Nov. 1, 1952; thereafter at 100¾ through Nov. 1, 1953; thereafter at 100½ through Nov. 1, 1954; thereafter at 100¼ through Nov. 1, 1955; thereafter at 100; together in each case, plus accrued interest. Sinking fund is calculated to retire not less than $14,175,000 of the $25,000,000 principal amount of Series C bonds by maturity.

Redeemable (Series A)—Other than for sinking fund: at any time as a whole only; on 6 weeks' notice, at the following prices: 105 on or before Sept. 1, 1940; thereafter at 102½ on or before Sept. 1, 1945; the premium thereafter decreasing ½ of 1% each year or portion thereof which shall have elapsed between Sept. 1, 1945, and the redemption date, plus interest in each case. Redeemable (Series "B")—Other than for sinking fund, at any time after Jan. 31, 1941, as a whole, and, on any interest payment date after Jan. 31, 1941, in part in principal amounts of $5,000,000 or any multiples thereof, in either case upon six weeks' notice, at 104 on or before Feb. 1, 1946; thereafter at 103 through Feb. 1, 1951; thereafter at 102 through Feb. 1, 1956; thereafter at 101½ through Feb. 1, 1958;

thereafter at 101 through Feb. 1, 1959; thereafter at 100½ through Feb. 1, 1960; thereafter at par, together, in each case, plus accrued interest. Redeemable (Series C) other than for sinking fund, at any time after Oct. 31, 1941, as a whole, and, on any interest payment date after Oct. 31, 1941, in part in principal amounts of $5,000,000 or any multiple thereof, in either case upon six weeks' notice, at 104 on or before Nov. 1, 1944; thereafter at 103 through Nov. 1, 1948; thereafter at 102 through Nov. 1, 1952; thereafter at 101½ through Nov. 1, 1953; thereafter at 101 through Nov. 1, 1954; thereafter at 100½ through Nov. 1, 1955; thereafter at par; together, in each case, plus accrued interest.

Convertible (Series A) at any time prior to maturity into company's no par common shares at the following rates for each $1,000 amount of bonds; 45 shares if converted on or before Sept. 1, 1937; 40 shares thereafter and on or before Sept. 1, 1929; 35 shares thereafter and on or before Sept 1, 1942; 30 shares thereafter on or before Sept. 1, 1945 and 25 shares thereafter. If bonds are called for redemption, conversion privilege expires on the 15th day prior to date of redemption. The mortgage contains provision against dilution of the conversion privilege.

Secured—(Series A, B & C) by a first mortgage lien on substantially all of the fixed assets of the corporation, except certain properties subject to the Central Steel Co. first mortgage sinking fund 8s, due in 1941 (a first lien on the Massillon, plants and certain undeveloped coal properties) and properties embraced in the Corrigan, McKinney plant (subject to the purchase money first mortgage convertible 5½s). Further secured by a first pledge lien upon securities of certain subsidiaries. Trustees—Chemical Bank & Trust Co., New York and Howard B. Smith.

The Central Steel Co., 1st Mtge. Gold 8s, due Nov. 1, 1941 ..... $2,603,900

Dated Nov. 1, 1921. Interest—May and Nov. 1 at City Bank-Farmers Trust Co., New York, or Cleveland Trust Co., Cleveland. Trustee. Authorized—$5,000,000. Coupon —$1,000, $500 and $100, registerable as to principal. Sinking Fund—5% of the issue annually ($250,000 bonds), payable in equal semi-annual instalments on Jan. 1st and July

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1st of each year, commencing July 1, 1923, and ending July 1, 1931. 10% annually of the balance of the issue remaining outstanding on Oct. 1, 1931, payable in equal semi-annual instalments on Jan. 1st and July 1st of each year, commencing Jan. 1, 1932, and ending July 1, 1941; said payments are to be applied to the purchase of the bonds at not exceeding 107½ and interest. Assumed by Republic Steel Corp. Lien—Secured by a first mortgage on all real estate, plants and equipment, and stocks of subsidiary companies, formerly owned by Central Steel Co.

Gulf States Steel Co. 1st (Closed) Mtge. S. F. 4½s, due Oct. 15, 1961 ..... $7,000,000

Dated—Oct. 15, 1936. Interest Payable April and Oct. 15 at City Bank Farmers Trust Co., New York, Trustee. Authorized—$7,000,000. Coupon—$1,000 and $5,000. registerable as to principal. Sinking Fund—Beginning April 15, 1937, and each April 15 and Oct. 15 thereafter, 1¼% of the greatest principal amount of bonds issued, or $175,000 annually. Sinking fund is payable in cash or in bonds at their repurchase price to company but not exceeding sinking fund redemption price of bonds surrendered. Cash in sinking fund is to be applied to redemption of bonds, on 30 days notice, at 102 to and including Oct. 15, 1941; thereafter at 101½ through Oct. 15, 1946; thereafter at 101 through Oct. 15, 1951 thereafter at 100½ through Oct. 15, 1956; and thereafter at 100 to maturity, plus interest in each case.

Redeemable Other Than for Sinking Fund in whole at any time, or in part by lot from time to time, upon 30 days' notice, at 104 to and including Oct. 15, 1941; thereafter at 103 through Oct. 15, 1946; thereafter at 102 through Oct. 15, 1951; thereafter at 101 through Oct. 15, 1956; and thereafter at par to maturity, plus interest in each case. Assumed by Republic Steel Corp. Secured by a direct first mortgage on substantially all property formerly owned by Gulf States Steel Co., chiefly including all lands and interest in lands and plants, improvements and equipment comprising the Gadsden, Ala., works, and coal and ore properties, located in Alabama.

Total Funded Debt	$117,898,900
Real Estate Mtge. Upper Mahoning Land Co.	75,248
Total Funded Debt & Real Estate Mtge.	$117,974,148

Underlying Liens Retired

Sale in January, 1936, of $45,000,000 general mortgage 4½s, series "B," provided company with sufficient funds to retire 9 underlying liens, aggregating $36,073,000 at Dec. 31, 1935, elimination of $2,000,000 note payable to Pioneer Steamship Co. and redemption of preferred stock of Trumbull-Cliffs Furnace Co., guaranteed by Republic Steel Corp.

Underlying liens retired in 1936 and date of redemption, were as follows:

$6,260,000 Republic Iron & Steel Co. S. F. Mortgage 5s, 1940, retired on April 1, 1936, at 105.

$8,555,000 Trumbull Steel Co. 15-Year First Mortgage S. F. 6s, 1940, redeemed May 1, 1936, at 101.

$3,179,000 Series "A" and $1,204,000 Series "B" Interstate Iron & Steel Co. First Mortgage S. F. 5½s, 1946, redeemed May 1, 1936, at 101½.

$2,934,000 Series "AA" and $1,037,000 Series "A" Donner Steel Co. First Refunding Mortgage S. F. 7s, 1942, redeemed July 1, 1936, at 102½.

$798,000 Dilworth Porter & Co., Inc., First Mortgage 10-Year 6s, 1939, redeemed August 1, 1936, at 103.

$564,000 Witherow Steel Corp. First Mortgage S. F. 6s, 1952, redeemed May 1, 1936, at 105.

$5,250,000 Union Drawn Steel Co. 20-Year Debenture 6s, 1950, redeemed July 1, 1936, at 105.

$1,297,500 Trumbull-Cliffs Furnace Co. First Mortgage S. F. 6s, Series "A," 1943, redeemed March 15, 1936, at 105.

$2,694,000 Steel & Tubes, Inc., 15-Year S. F. Debenture 6s, 1943, redeemed March 1, 1936, at 102½.

Note—Underlying liens previously outstanding were retired in 1935 and Jan. 1, 1936.

CAPITALIZATION

(As of Dec. 31, 1936, after giving effect to issuance of 690,828 common shares for acquisition of assets of Gulf States Steel Co. in April, 1937, and assumption of indebtedness of latter company).

	Author.	Outstdg.
Tot. fund. debt (as above)		$117,974,148
Prior pref. 6% cum. conv. ser. A. ($100 par) (shs.)	342,353	282,303.5
Prior Prefer. unclass. ($100 par) (shs.)	407,647	
Conv. Pfd. 6% ($100 par) (shs.)	119,597	119,597
Com. (no par) (shs.)	†10,000,000	*4,818,092.2

*Includes 1,216 shares held in treasury at Dec. 31, 1936,

and additional shares subsequently received as a result of corporation's investment in Gulf States Steel Co.

†Includes at Dec. 31, 1936, common shares reserved as follows: 10,555.2 shares for Truscon Steel Co. common stock undeposited (excluding treasury holdings); 564,607 shares reserved for conversion of 282,303.5 shares of prior preference stock, series "A"; 1,080,000 shares reserved for conversion of $24,000,000 general mortgage convertible 4½s series "A" on basis of 45 shares for each $1,000 principal amount; 384,025 shares reserved for conversion of $15,361,000 purchase money first mortgage convertible

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5½s on basis of 25 shares for each $1,000 principal amount; 95,677.6 shares reserved for conversion of 119,597 shares of 6% convertible preferred stock.

All Stock is fully paid and non-assessable, and no personal liability attaches to stockholders.

Changes in Authorized Capital Stock

Sept. 23, 1935, stockholders authorized plan for readjustment of capital and for settlement of unpaid convertible preferred dividends, in a new issue of prior preference stock and additional common stock. Under the plan the former authorized but unissued 900,000 shares of serial preferred stock was changed into 750,000 shares of $100 par prior preference stock and 150,000 shares of no par common stock and the authorized common further increased by 4,850,000 shares to 10,000,000 shares. Each share of outstanding convertible preferred stock was exchanged for one-half share of new prior preference stock, series "A," and two shares of common stock. The outstanding common stock remained undisturbed.

Exchange Offer Terminated Dec. 7, 1936—Holders of

476,011 convertible preferred shares out of total of 595,608 originally outstanding had accepted the exchange offer.

Stock Provisions

Prior Preference Stock has first preference as to assets and as to cumulative dividends of 6% per annum (cumulative from Jan. 1, 1935), payable quarterly Jan. 1, etc. Redeemable in whole or in part on 30 days' notice at any time at 110 and accrued dividends. In Liquidation—Entitled to 110 and accrued dividends in voluntary and 100 and accrued dividends in involuntary dissolution. Convertible at any time into common stock on basis of two common shares for each prior preference share. Conversion rate is subject to adjustment pursuant to provisions designed to protect the conversion privileges against dilution of the common stock by issuance of additional shares.

Convertible Preferred Stock, subject to priority of prior preference stock, has preference over the common as to assets and as to cumulative dividends of $6 per annum, payable quarterly Jan. 1, etc. Redeemable in whole or in part on 30 days' notice at any time at 110 and accrued dividends. In Liquidation—Entitled to 110 and accrued dividends in voluntary and 100 and accrued dividends in involuntary dissolution. Convertible at any time into common on basis of one common share for each 1¼ of preferred shares to and including May 1, 1937; thereafter at rate of one common share for each 1½ share of convertible preferred on or before May 1, 1942; and thereafter at rate of one common for 1¾ share of convertible preferred. Conversion rates are subject to adjustment pursuant to provisions designed to protect the conversion privilege of convertible preferred against dilution of common by issuance of additional shares. Purchase Fund—After all dividends in arrears on and full dividend for current period on prior

preference and convertible preferred stock shall have been provided for, and requirements of prior preference stock complied with, a cumulative purchase fund equal to one-half of 1% of maximum aggregate par value of convertible preferred stock outstanding at any time, is to be applied April and Oct 1 for purchase of convertible preferred in open market and not exceeding 100. Preferred stock purchased through operation of purchase fund is to be cancelled and not to be reissued.

Voting Power—Prior preference, convertible preferred and common stocks have full voting power, each holder of such stocks being entitled to one vote per share held.

Restrictions—Without consent of two-thirds vote of each class of prior preference and convertible preferred stock, then issued and outstanding, company cannot issue or create any additional stock ranking ahead of or on a parity with the respective issues. Rights of the prior preference shall not be changed by any amendment to certificates of incorporation nor shall capital be reduced below the sum of $80,755,875 without consent of two-thirds of the prior preference stock. No amendment to the certificate of incorporation changing the rights of the convertible preferred is to be effected without consent of two-thirds of the outstanding amount.

Tax Exemptions—Out of any assets legally available for the purpose, corporation agrees to reimburse holders of prior preference series "A" and convertible preferred for the following taxes when lawfully paid by or on behalf of such holders, and upon verified application within 60 days after payment, as follows; Prior Preference, Series "A"—Ohio personal property taxes not exceeding 5% of dividends (but not exceeding annual dividend rate) paid in preceding calendar year or if no dividends were paid, not exceeding two mills on each dollar of taxable value of

shares. Prior Preference, Series "A," and Convertible Preferred: Pennsylvania, Connecticut or California personal property taxes not exceeding four mills per annum; Kentucky personal property taxes not exceeding five mills per annum; Maryland securities taxes not exceeding 4½ mills per annum; Massachusetts income taxes measured by income not exceeding 6% per annum of dividends.

Number of Stockholders

Mar. 1, 1937	*43,000
Feb. 3, 1936	41,265
Mar. 29, 1935	31,906

*Estimated.

Annual Price Range—Stocks
(New York Stock Exchange)
Republic Steel Corp.

	†Prior Pref.		Conv. Pfd.		—Common—	
	High	Low	High	Low	High	Low
1936	104¼	78¼	128	77	29⅞	16⅞
1935	95½	78½	97	28⅝	20¾	9

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	—Preferred—		—Common—	
	High	Low	High	Low
1934	67½	33½	25¾	10½
1933	54½	9	23	4
1932	28⅞	5	13⅞	1⅞
193_	54	8½	25¾	4⅛
1930	*95¾	*28	*79½	*10½

*Preferred listed April 22, 1930, and common April 9, 1930.

†Prior preference stock was issued in September, 1935, under capital readjustment plan, in exchange for convertible preferred stock on basis of one-half share of new prior

preference and two common shares for each convertible preferred share held.

Prior preference was listed Sept. 27, 1935.

Gulf States Steel Co.

	—*First Pfd.—		—Common—	
	High	Low	High	Low
1936	129½	105	63	28⅜
1935	108	48	33½	12
1934	83	47	42	15¼
1933	64	16¼	38	6¾
1932	40	12	21⅛	2½
1931	80	15	37½	4
1930	109	83¼	80	15
1929	109	99¾	79	42
1928	110	103⅜	73⅞	51
1927	108⅞	99⅞	64	40
1926	109½	100	93¾	51⅜
1925	107½	101¼	95¾	67½
1924	102	98	89¼	62
1923	105¾	98¼	104⅝	66
1922	101	95	94⅞	44⅞
1921	90	87¼	50⅞	25
1920	92¼	90¼	84⅞	25
1919	95½	92½	89⅛	49½
1918	102	93¼	111½	58¾

*First preferred stock was redeemed Jan. 2, 1937, at $110 a share and accrued dividends.

DIVIDEND DATA

1937 Payments—Prior preference, $1.50 April 1 and July 1 (declared); convertible preferred, $1.50 on account of arrears, April 1 and July 1 (declared).

Accumulated Dividends on old $6 preferred unexchanged under recapitalization plan, unpaid accumulations amounted to $25.50 a share after giving effect to payment on July 1, 1937.

Dividend Restrictions—Under indenture securing the Republic Steel Corp. general mortgage 4½s, the corporation covenants not to declare any dividends on its stocks, except stock dividends, or make any distribution of cash or property among its stockholders, unless, after giving effect to any such dividends or distribution, (a) the consolidated current assets of the Corporation and its subsidiary companies shall be at least three times the consolidated current liabilities of the Corporation and its subsidiary companies, and (b) the consolidated net current assets of the corporation and its subsidiary companies shall be at least 50% of the principal amount of the total consolidated funded debt of the corporation and its subsidiary companies at the time outstanding.

Dividends Paid in Calendar Years

Republic Steel Corp.

	*Prior Pref.	†Conv. Pfd.	—Common— Reg.	Extra
	$	$	$	$
1936	‡12.00	(a)12.00	....	....
1935	....	....	....	....
1931-34	....	....	....	....
1930	....	3.00	1.24	....

*Prior preference stock was issued in September, 1935, under plan for clearing up dividend arrears on convertible preferred stock.

†Designated as preferred stock in 1934 and prior years.

‡Includes $4.50 on account of accumulations (clearing

up all arrears) and regular quarterly of $1.50 ordinarily payable Jan. 2, 1937, but paid Dec. 19, 1936.

(a) Paid on account of arrears.

Gulf States Steel Co.

Accumulated dividends of $19.27 a share on first preferred stock were paid upon redemption of first preferred on Jan. 2, 1937, at $110 a share and accrued dividends. Common dividends were omitted since July, 1930.

	Common (no par)		
	Regular	Extra	Stock
	$	$	$
1931-35	....	....	....
1930	3.00	....	....
1929	2.00	....	....
	($100 Par)		
1929	2.00	....	....
1928	....	....	....
1927	3.75	....	....
1926	5.00	....	....
1925	5.00	....	11½
1924	4.75	....	....
1923	3.00	....	....
1920-22	....	....	....
1919	3.50	....	....
1918	10.00	....	25
1917	8.00	*2.50	....

*Includes $1 Red Cross dividend.

First Preferred Dividends were initiated with payment of $15.16⅔ on Feb. 15, 1916, on account of accumulations from Nov. 1, 1913, to Jan. 1, 1916, and were paid regularly thereafter at rate of $7 per annum through April 1, 1931. No further payment was made until declaration of $3.50 on

April 1, 1936, and entire issue was retired Jan. 2, 1937, at $110 and accrued dividends.

Second Preferred Dividends were initiated with payments of $1.50 on Aug. 1, 1916, and $3.00 on Nov. 1, 1916, and were paid regularly thereafter at rate of $6 per annum through 1920. Subsequent declarations were $1.50 in 1929, $4.50 in 1923 and $6 in 1924, entire issue having been converted into common stock prior to Dec. 31, 1924.

Dividends paid during current calendar year reported in Dividend Sections.

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FINANCIAL STATEMENTS

Certification of Accounts—Annual financial statements of Republic Steel Corp. were certified by Ernst & Ernst, Certified Public Accountants, Cleveland, Ohio, while reports of Gulf States Steel Co., were certified by Barrow, Wade, Guthrie & Co., Accountants and Auditors, New York.

(*Continued on Page* 5847, *Volume VIII.*)

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